

25 NOVEMBER 1946

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of  
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of  
EXHIBITS

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of

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1 Monday, 25 November, 1946

2 - - -

3  
4 INTERNATIONAL MILITARY TRIBUNAL  
5 FOR THE FAR EAST  
6 Court House of the Tribunal  
7 War Ministry Building  
8 Tokyo, Japan

9 The Tribunal met, pursuant to adjournment,  
10 at 0930.

11 - - -

12 Appearances:

13 For the Tribunal, same as before with the  
14 exception of the HONORABLE R. B. PAL, Member from  
15 India, not sitting.

16 For the Prosecution Section, same as before.

17 For the Defense Section, same as before.

18 The Accused:

19 All present except OKAWA, Shumei, who is  
20 represented by his counsel.

21 - - -

22 (English to Japanese and Japanese  
23 to English interpretation was made by the  
24 Language Section, INTFE.)  
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1 MARSHAL OF THE COURT: The International Military  
2 Tribunal for the Far East is now in session.

3 THE PRESIDENT: Major Moore.

4 LANGUAGE ARBITER (Major Moore): Mr. President,  
5 if the Tribunal please, I beg leave to present some  
6 language corrections. Copies of what I am about to  
7 read are presented for the convenience of the Tribunal.

8 Exhibit 1117, record page 10,166, line 26, the  
9 sentence beginning "The Emperor" should read "As stated  
10 by the Vice Lord Chamberlain, I received the Imperial  
11 order to give a reply after gathering your Excellency's  
12 opinion."

13 Line 17, delete from "saying that" to "Army and"  
14 and substitute "as a person good for the military and  
15 capable of exercising general control over all lines  
16 of..."

17 Line 25, after "GHQ" transpose "in the palace."

18 THE PRESIDENT: Insert "in the palace" in this  
19 document.

20 LANGUAGE ARBITER (Major Moore): I regret, sir,  
21 that that word should be transposed, since the words are  
22 taken from the following sentence and carried over into  
23 the sentence before. The punctuation mark was in error.

24 After "YONAI said" should read "no other person  
25 than Prince KONOYE would do."

1           Page 10,168, line 12, after "Cabinet" insert  
2 the sentence "After his audience, I met and talked with  
3 him."

4           Exhibit 1146, record page 10,242, line 2, after  
5 "abroad" should read "it is very difficult to predict  
6 the outcome of war with the U.S.A. So we had better..."  
7 and so forth.

8           Line 7, paragraph 4, should read "Rather it  
9 should be made clear that the termination of the China  
10 Incident is the first consideration."

11          Line 12, paragraph 6, should read "The people  
12 should be made to understand the necessity for ten  
13 or..." and so forth.

14          Line 13, insert "and" between "nation" and "to  
15 establish."

16          Exhibit 1147, record page 10,247, line 14,  
17 delete from "bring about" to line 18 "for a" and  
18 substitute "do it thoroughly. To turn to..."

19          Line 22, after "parley" insert "and hoped to con-  
20 tinue to act with this idea."

21          Page 10,248, line 2, delete from "Our demands"  
22 to end of sentence and substitute "In Japanese American  
23 relations:

24          "1. We should not change our policy of station-  
25 ing troops in China or the other policies connected with

1 it.

2 "2. We should not entertain anything that might  
3 affect the result of the China Incident.

4 "With these points in view, it should be found  
5 out whether negotiations can be successful within the  
6 time set by the High Command. When this has been ascer-  
7 tained the matter should be settled through diplomacy.  
8 Such being the case, all operational preparations be  
9 discontinued. The Foreign Minister should study the  
10 above to find out whether it is possible or not."

11 Exhibit 1150, record page 10,276, line 1,  
12 "YAKATA" should read "TATE (YAKATA)."

13 Line 7, delete "The War Minister did not mention  
14 his name" and substitute "it may not be well to desig-  
15 nate the next Premier."

16 Line 10, substitute "not depart from" for  
17 "follow."

18 Line 20, substitute "a prudent" for "an inde-  
19 pendent."

20 Line 23, after "on this point" insert "then  
21 added that the matter needs to be studied carefully."

22 Page 10,277, line 6, after "situation" insert  
23 "At 2:00 p.m. YAMAZAKI, Chief of the Metropolitan Police  
24 Board came and spoke to me on current political affairs."  
25

Line 15, delete "that I did not" and substitute

1 "what I stated to President SUZUKI this morning. As  
2 I had yet to..."

3 Line 18, delete from "and I had" to end of  
4 sentence.

5 Page 10,278, line 5, after "said that" delete  
6 to end of sentence and substitute "when he made a report  
7 to the Emperor on the proposed plan. His Majesty said  
8 that if the Army and the Navy agreed upon the peace-  
9 ful policy and it is the outcome of necessity to have  
10 the Prince's Cabinet, then there was no alternative  
11 but to approve the plan."

12 Line 23, substitute "Lord Keeper of the Privy  
13 Seal" for "Home Minister."

14 Line 24, delete from "I made" to end of sen-  
15 tence and substitute "I was received in audience by  
16 the Emperor; His Majesty gave me his opinion on the  
17 proposed premiership of Prince HIGASHIKUNI reported  
18 to him by the Premier."

19 Exhibit 1151, record page 10,282, line 12,  
20 paragraph 2, should read "According to what developed  
21 since last night, the difficulties have not been solved  
22 and a member of the Imperial family should never be  
23 asked to overcome these obstacles."

24 Page 10,283, line 4, after "SUZUKI" insert "I  
25 pointed out that the decisions made at the Imperial

1 Conference on September 6 were rather careless and..."  
2 and so forth.

3 Line 6, delete from "a unified policy" to  
4 "factors" and substitute "I also stressed the necessity  
5 of true unity between the Army and the Navy. I  
6 stressed the fact that this was the least our country  
7 is asking for..." and so forth.

8 Exhibit 1154, record page 10,291, line 17,  
9 delete "Viscount."

10 Line 18, delete "Admiral" and "General."

11 Line 19, delete "General" and "Admiral."

12 Line 21, delete from "Mr. WAKATSUKI" to end  
13 of sentence and substitute "Except for the recommenda-  
14 tion of General UGAKI by Baron WAKATSUKI and the sug-  
15 gestion of a Cabinet under a member of the Imperial  
16 family by General WAKASHI, no one had a definite opinion."  
17

18 Page 10,292, line 2, after presence insert  
19 "September 6."

20 Line 6, substitute "active duty" for "military  
21 service."

22 Line 15, delete sentence beginning "This was  
23 followed..." and substitute "Subsequently, he summoned  
24 Navy Minister OIKAWA and talked with him regarding  
25 cooperation between the Army and Navy."

Line 20, "His Majesty has talked to you in



1 regard to cooperation between the Army and Navy."

2 Line 21, substitute "you" for "we."

3 Exhibit 1181, record page 10,382, line 20,  
4 paragraph 1, should read "Remain as at present without  
5 advancing beyond its preliminary stage."

6 Paragraph 2, "Partial acceptance of our demands."

7 Paragraph 3, "Acceptance of a very small  
8 portion of our demands."

9 Page 10,390, line 4, delete paragraph and  
10 substitute:

11 "Thus several phases of the situation must be  
12 foreseen and it would appear that there is left enough  
13 ground for controversy with regard to our rushing into  
14 the war headlong on the more automatic grounds that the  
15 last day of the month of November has passed. If we did  
16 so it is feared that it might exercise an undesirable  
17 influence on the unification of public opinion in the  
18 future. Accordingly, I advised His Majesty, when the  
19 Premier solicits His Majesty's final decision, if circum-  
20 stances require, the Premier should be ordered to hold  
21 the council in the Imperial presence with the partici-  
22 pation therein of all the senior statesmen.

23 Exhibit 1190, record page 10,430, line 1,  
24 delete from "as we are" to end of sentence and substi-  
25 tute "Once the final decision is made this time it

1 would truly be the last and irretrievably final one.  
2 Thus if there should be any doubt or any better idea  
3 to surmount the difficulties in your Majesty's mind,  
4 I pray that your Majesty be pleased to elucidate the  
5 same without the least reserve and take appropriate  
6 steps which your Majesty might not repent of afterwards.

7 "I therefore pray that your Majesty command the  
8 Premier without reserve."

9 Exhibit 1210, record page 10,523, line 17,  
10 substitute "against" for "between Japan and..."

11 Line 12, after "visited me" read "to discuss  
12 the Imperial Rescript to Declare War."

13 THE PRESIDENT: Thank you, Major.

14 LANGUAGE ARBITER (Major Moore): That is all.  
15  
16  
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25



BALLANTINE

CROSS

1 J O S E P H W. B A L L A N T I N E, called as a  
2 witness on behalf of the prosecution, resumed  
3 the stand and testified as follows:

4 CROSS-EXAMINATION (Continued)

5 THE PRESIDENT: Mr. OKAMOTO.

6 MR. S. OKAMOTO: I am OKAMOTO, Shoichi. I  
7 shall continue my cross-examination from where I left  
8 off on Friday.

9 May I have the last reply read?

10 (Whereupon, the answer of the witness  
11 was read by the official court reporter from the  
12 transcript of the record of 22 November 1946 as  
13 follows:

14 "A We had received information from these  
15 unofficial Japanese representatives; we had had  
16 constant -- had representations made to us about  
17 these liberal forces ready to come forth if we'd  
18 only be patient; and many other representations  
19 of that character.")

20 BY MR. S. OKAMOTO (Continuing):

21 Q My last question to you on Friday afternoon  
22 concerned the words in your affidavit which spoke of  
23 the difficult internal situation faced by the Japanese  
24 Government. What did the State Department consider this  
25 difficult internal situation to be?

BALLANTINE

CROSS

1 THE PRESIDENT: Well, that has been answered,  
2 really.

3 MR. S. OKAMOTO: Did the witness answer to a  
4 question put by some other counsel? I am asking you,  
5 Mr. President.

6 THE PRESIDENT: You have already heard the  
7 witness' answer.

8 MR. S. OKAMOTO: I beg your pardon, sir. Did  
9 he answer to this question -- did another counsel put  
10 the same question to him?

11 THE PRESIDENT: No. He said, in effect, the  
12 internal difficulties that he heard about were from  
13 representations about liberal forces that would be  
14 ready to come forth if the Americans would only be  
15 patient.

16 To shorten the proceedings I will ask you to  
17 repeat what you have said in another form, if necessary.

18 Did you hear anything about internal  
19 difficulties, apart from some liberal movement in Japan?

20 THE WITNESS: What I was referring to entirely  
21 was a conflict between so-called forces that wanted to  
22 pursue existing policy and moderate forces in Japan.

23 THE PRESIDENT: The only differences you heard  
24 about were political differences?

25 THE WITNESS: That is correct.

BALDWIN

CROSS

1           Q    Would such things as I am going to say also  
2 come within the scope of what you referred to as the  
3 difficult internal situation; that is to say, I would  
4 like to question you on what follows in your affidavit  
5 concerning public opinion in Japan; that is to say,  
6 was not such an opinion current in Japanese circles as  
7 this: At the time Japan was faced by a -- because of  
8 the narrowness of her territory, she was faced with  
9 over-population so that she had to expand either by  
10 emigration or by trade expansion. In spite of this  
11 necessity, the United States excluded Japanese immi-  
12 grants. And while we leave aside the question of bloc  
13 economies in other parts of the world for a moment,  
14 is it not rather unfair only to insist on an open-door  
15 policy in China?

16           THE PRESIDENT: You need not answer that ques-  
17 tion. That invites you to express an opinion on a long  
18 statement of alleged fact by the counsel.

19           The witness is not here to give opinions of  
20 that kind. We refuse to hear his opinions. We have  
21 already decided to do so.

22           MR. S. OKAMOTO: Mr. President, I am sorry to  
23 infringe upon the Court's time, but I was not stating  
24 my opinion. I was stating the facts regarding Japanese  
25 public opinion from various documents of the time and

DALLANTINE

CROSS

1 from my own recollection in the shortest possible form.

2 THE PRESIDENT: You are not at liberty to put  
3 the question that you put to him. I have repeatedly  
4 said that we are not accepting this witness' opinions,  
5 whether they be for Japan or against Japan, or against  
6 Japanese or for Japanese.

7 MR. S. OKAMOTO: I shall strictly obey the  
8 President's order regarding opinions. What I wish  
9 to ask the witness is what view the State Department  
10 took of this trend in Japanese public opinion, of the  
11 facts concerning the State Department's views.

12 THE PRESIDENT: You are assuming facts there.  
13 You may ask him what influenced the Department in the  
14 course of the negotiations.

15 MR. S. OKAMOTO: I shall do so, sir.

16 Q Mr. Witness, what was the trend of Japanese  
17 opinion which influenced the State Department in the  
18 course of its negotiations and which was a basis for  
19 the State Department in forming its opinion as these  
20 negotiations went along?

21 THE PRESIDENT: Have you told us all you know  
22 about that? If so, you need not repeat what you have  
23 said already.

24 THE WITNESS: I might add one brief comment.  
25 We felt that we had taken care of legitimate feelings

BALLANTINE

CROSS

1 of the Japanese press by having at mind at all times  
2 offering Japan a peaceful alternative.

3 THE PRESIDENT: Was that communicated to the  
4 Japanese negotiators?

5 THE WITNESS: That was communicated.

6 THE PRESIDENT: We want to know what was said  
7 and done by the State Department in the course of the  
8 negotiations to the extent that you have not already  
9 told us.

10 Yes, Mr. OKAMOTO; have you any further  
11 questions?

12 Q Was the original proposals for a Japanese-  
13 American agreement not welcomed by high officials of  
14 the State Department because it was first presented  
15 by Japanese acting in an unofficial capacity as well  
16 as American friends of Japan who were also acting in  
17 an unofficial capacity?

18 THE PRESIDENT: Have you told us all you know  
19 about that?

20 THE WITNESS: I think I have told all I know  
21 about that.

22 THE PRESIDENT: You need not add to it.

23 Q On page 10, paragraph 2, of your affidavit,  
24 you state that America made a proposal to the Japanese  
25 for the neutralization of Indo-China -- French Indo-China.



PALLANTINE

CROSS

1 Did the State Department realize at the time that  
2 French Indo-China was pro-American and that the  
3 neutralization of Indo-China would not help Japan to  
4 gain anything at all -- pro-British and pro-American  
5 neutralization -- was pro-British and pro-American?

6 THE PRESIDENT: That also assumes that they  
7 were.

8 MR. S. OKAMOTO: I shall correct myself.

9 Q Would not the neutralization of Indo-China  
10 have made it difficult for Japan to import goods?

11 THE PRESIDENT: He is not asked to express  
12 any opinion.

13 Q Did the State Department think so?

14 THE PRESIDENT: What did they communicate to  
15 the Japanese about that?

16 A The President of the United States spoke  
17 at great length with the Japanese Ambassador, pointing  
18 out especially that by that proposal the Japanese would  
19 get all that they wanted in the way of materials which  
20 they required.

21 MR. S. OKAMOTO: I shall try to prove this  
22 point later.

23 Q On the day before the freezing act, President  
24 Roosevelt in a speech at Washington before the Civilian  
25 Volunteer Committee of the Office of Civilian Defense,

BALLANTINE

CROSS

1 stated that the reason why America had permitted  
2 Japan to import oil hitherto was in order to prevent  
3 Japan from moving into French Indo-China -- correction:  
4 into the Dutch East Indies. If America had prohibited  
5 the export of oil a year earlier we would have been  
6 engaged in war from that time. Do you remember this  
7 statement?

8 A I remember what the President said on that  
9 occasion. But I can't speculate as to whether we  
10 would or would not have been in war. That I don't know.



BALLANTINE

CROSS

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1 THE PRESIDENT: That statement about avoiding  
2 war is purely a gratuitous one by counsel. It is  
3 really an attempt to give evidence; but no amount  
4 of correction seems to prevent Japanese counsel and,  
5 perhaps, other counsel from making those statements.  
6 Counsel are confined to asking questions. They  
7 must not make statements.

8 MR. S. OKAMOTO: I was merely quoting from  
9 President Roosevelt's words, and concerning whether  
10 America would or would not have gone to war a year  
11 earlier. I was merely quoting President Roose-  
12 velt's exact words.

13 THE PRESIDENT: Well, you were badly  
14 interpreted then. I certainly got the impression  
15 and everybody else, the witness included, that you  
16 were not doing so.

17 MR. S. OKAMOTO: I shall put this question  
18 in a new form.

19 Q Do you remember that on July 23, 1941,  
20 President Roosevelt made a speech as follows before  
21 the Civilian Volunteer Committee of the Office of  
22 Civilian Defense --

23 THE PRESIDENT: Well, now, you have heard  
24 what the speech was and you have already told us  
25 you did not remember.

BALLANTINE

CROSS

1 MR. S. OKAMOTO: I shall not continue this  
2 line further.

3 Q I call your attention to paragraph 3 of  
4 page 10 of your affidavit. You state that the  
5 Japanese move into southern Indo-China was an  
6 aggravated overt act. Skipping a few lines, you  
7 state that it was essential that the United States  
8 make a definite and clear move in self-defense.

9 THE PRESIDENT: They are opinions which we  
10 have disregarded. You need not cross-examine upon  
11 them.

12 Q I wish to ask you whether this was the  
13 opinion of the State Department? Will you reconsider  
14 this matter? Is it not true that you have stated  
15 here the opinion of the State Department and not  
16 your own?

17 THE PRESIDENT: We will allow you to answer  
18 that. He apparently wants that. I do not know how  
19 it will help him. I think it will injure him if it  
20 is answered a certain way.

21 A That was the opinion of the State Department  
22 in which I fully concurred.

23 THE PRESIDENT: Well, we will ignore your  
24 concurrence, Mr. Ballantine.

25 I think you had better station a page at

BALLANTINE

CROSS

that lectern. The red light means nothing.

THE MONITOR: May I have the whole thing repeated, please?

(Whereupon, the last question was read by the Japanese court reporter and interpreted as follows:)

Q Does this mean that the United States decided on a war against Japan then? I wish to get the fact regardless of whether it is to our advantage or to our disadvantage. It is the unanimous opinion of the Japanese counsel that they wish to get the facts.

THE PRESIDENT: The fact you want to get at now would be extremely favorable to you if you could get it.

Do you know what was the intention of the State Department at that time?

THE WITNESS: We had no intentions of carrying on or conducting or entering into an aggressive war.

THE PRESIDENT: You have said that repeatedly.

Q Then by the words "definite and clear move" which you use here, you do not mean war, is that so?

A We had to be increasingly ready with our self-defense on account of the actions that Japan

BALLANTINE

CROSS

was taking.

1 MR. S. OKAMOTO: I am contented with that.

2 Q Did Secretary Hull regard the Japanese  
3 memorandum -- Japanese note of November 20th as an  
4 ultimatum?  
5

6 THE PRESIDENT: Did he state it was?

7 THE WITNESS: He did.

8 Q Did other high officials in the State  
9 Department besides Secretary Hull also think like-  
10 wise?

11 THE PRESIDENT: They do not speak for the  
12 Department. Only the Secretary does, I take it.

13 THE WITNESS: That is correct.

14 MR. S. OKAMOTO: I shall withdraw that  
15 question in accordance with the President's command.

16 Q Did General Marshall and Admiral Stark also  
17 consider the Japanese note of November 20th as an  
18 ultimatum?

19 THE PRESIDENT: You need not answer.

20 Q When this note was delivered, according to  
21 Ambassador NOMURA's oral explanation, you state  
22 in your affidavit that -- on page 13 of your affi-  
23 davit in paragraph 5 -- on page 12 of your affidavit  
24 you have stated that Ambassador NOMURA said that if  
25 an agreement along those lines was not quickly

BALLANTINE

CROSS

1 concluded, ensuing developments might be most  
2 unfortunate. Did the Department of State understand  
3 that the word "unfortunate " meant war?

4 A Well, there was an implication that we  
5 considered that Japan might break out with fresh  
6 acts of aggression at any time.

7 Q Did the State Department consider that  
8 the Japanese note of November 20th was in the nature  
9 of a modus vivendi?

10 A The Japanese Government suggested that  
11 acting on that, we could go further on our conver-  
12 sations. Mr. Hull brought that out clearly in his  
13 conversations with Ambassador NOMURA. I believe  
14 that Ambassador KURUSU and Ambassador NOMURA replied  
15 to the effect that that was so, that if -- that  
16 that arrangement, that modus vivendi would make  
17 possible the continuance of the conversations.

18 Q But, according to what is stated at the  
19 top of page 13 of your affidavit, you say -- it  
20 is stated: "Acceptance by the American Government  
21 of the Japanese proposal of November 20 would have  
22 meant condonement by the United States of Japan's  
23 past aggressions, assent by the United States to  
24 unlimited courses of conquest by Japan in the future"..  
25 et cetera.

BELLANTINE

CROSS

1           If this were true, this proposal of the  
2 Japanese would be very far from being any proposal  
3 of a modus vivendi. Why did the State Department  
4 consider the Japanese proposal in such an unfavor-  
5 able light -- in such a harsh manner?

6           THE PRESIDENT: That is the view of the  
7 State Department, I take it?

8           THE WITNESS: That is correct.

9           THE PRESIDENT: Well, he wants your answer.  
10 Give it to him.

11          A    The Japanese proposal by its very nature  
12 was such that Japan offered no concessions from  
13 the course she was pursuing, and they asked us to  
14 make all the concessions.

15          Q    Do you mean to say then that Japan never  
16 made any concessions from her first proposal?

17          A    No material concessions that I could  
18 recognize.

19          THE PRESIDENT: Can you suggest any to  
20 him?

21          Q    Is it not true that, concerning the stationing  
22 of troops in China, in all our proposals before  
23 November 20th a definite time limit was set in all  
24 the plans --

25          THE MONITOR: --which we call the "A" plan?



BALLANTINE

CROSS

1 A We did not consider that a material con-  
2 cession, especially in the light of the instructions  
3 which Ambassador NOMURA had received from the  
4 Foreign Office in regard to the explanation of that  
5 matter.

6 THE MONITOR: I would like to make a cor-  
7 rection prior to that. That was not an " 'A' plan"  
8 but "proposal 'A'". I will repeat again: Proposal  
9 "A".

10 Q Concerning the Three Power Pact, is it  
11 not true that Japan's attitude to the United States  
12 was very friendly and that explanations were made  
13 to the effect that it would be very unlikely that  
14 Japan would enter the war on Germany's side?

15 THE PRESIDENT: Was anything to that effect  
16 said in the course of the negotiations?

17 THE WITNESS: On November 10th the Japanese  
18 Ambassador read a communication to the President.  
19 I think that matter was fully gone over in my  
20 previous answers to the question. There was a  
21 line deleted by the Japanese Ambassador in that  
22 explanation. I do not think I can add to anything  
23 that I have already said on that particular point.

24 Q Then what concessions did the United States  
25 make towards Japan?



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1           A    From the very beginning of the conversations  
2 we told the Japanese that everything must conform  
3 to our fixed principles. We had not asked for any  
4 agreement. We never talked to them in terms of  
5 the concessions that we would make from our  
6 principles. We were ready to come to an agreement  
7 if the Japanese wanted to go out on all-out peace-  
8 ful courses.

9           Q    Then may I understand that the United  
10 States, from the very beginning, showed these  
11 principles and never permitted of any compromise,  
12 any room for compromise concerning these principles?

13           THE PRESIDENT: You need not add anything  
14 to what you have said already. I think you are putting  
15 questions now for the sake of putting them. You  
16 said you had only a few questions to ask, but you  
17 have been here nearly an hour. I will not prevent  
18 you from asking any relevant or material question;  
19 but you have asked very few that do not involve  
20 repetition.

21           MR. S. OKAMOTO: I shall change my subject.  
22 I shall select a few very important points and  
23 ques+ion you on these.  
24

25           Q    In the draft of the proposal handed from  
the Secretary of State to the Japanese Ambassador on

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1 June 21st, the English text of this proposal is  
2 an exhibit "C" of the witness' statement. On  
3 page 2 of exhibit "C" it is stated: "Both  
4 Governments declare that it is their traditional  
5 and present concept and conviction that nations and  
6 races compose as members of a family one household  
7 living under the ideal of universal concord through  
8 justice and equity."

9 Does this text state, in English the equiva-  
10 lent of the Japanese ideal of "Hakko ichiu"?

11 THE PRESIDENT: You need not answer that.  
12 You are not here as an expert on Japanese. It is  
13 quite beyond your province.

14 MR. S. OKAMOTO: Mr. President, that may  
15 be so, but this witness is an expert in the Japanese  
16 language -- is proficient in the Japanese language;  
17 and I believe -- I wish to ascertain whether the  
18 philosophies of East and West meet on this point.  
19 I believe that it is a question appropriate to this  
20 Tribunal as it is a very important matter, and I  
21 should be very happy if I could be permitted to make  
22 this -- put this question.

23 THE PRESIDENT: Put it to some other witness  
24 who will be competent to answer. You are confined  
25 to cross-examining this witness on the statements of

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1 fact in his affidavit. That is the result of a  
2 rule made in the United States and applied by  
3 this Tribunal. Please get out of your head that  
4 I have any discretion. I have not.

5 MR. S. OKAMOTO: Then I shall put my  
6 question this way:

7 Q I believe that the witness must have  
8 been one of those who participated in the drafting  
9 of this proposal of June 21st.

10 A I was present, yes.

11 Q Was this text written in such a way that  
12 it would be an English interpretation of the  
13 traditional Japanese ideal of "Hakko ichiu"?

14 THE PRESIDENT: You need not answer that.

15 Q Finally, I should like to ask you just  
16 one more question concerning the anti-Japanese  
17 movement in America.

18 THE MONITOR: Anti-Japanese activities  
19 in America.

20 Q (Continuing): In 1913, when a law  
21 prohibiting the buying or renting of land by  
22 unnaturalized foreigners was presented to the Cali-  
23 fornia State Legislature -- foreigners who are not  
24 able to become naturalized -- are you aware of the  
25 fact that President Wilson, accepting the protests

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1 of the Japanese Government, sent Secretary Bryan  
2 to Sacramento, the capital of California, in order  
3 to prevent the passage of this law, but was unsuc-  
4 cessful?

5 THE PRESIDENT: You do not know that as  
6 a State Department official, do you?

7 A I do not know about that.

8 THE PRESIDENT: We will recess for fifteen  
9 minutes.

10 (Whereupon, at 1045, a recess was  
11 taken until 1100, after which the proceedings  
12 were resumed as follows:)  
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1 MARSHAL OF THE COURT: The International  
2 Military Tribunal for the Far East is now resumed.

3 THE PRESIDENT: Mr. OKAMOTO.

4 MR. S. OKAMOTO: May I have the witness'  
5 reply?

6 (Whereupon, the last answer was read  
7 by the official court reporter as follows: "I  
8 don't know about that.")

9 BY MR. S. OKAMOTO (Continued):

10 Q This was a most important point in the American-  
11 Japanese negotiations. Even if you didn't know of it  
12 directly, did you not learn of it through the records  
13 of the State Department or through other documents?

14 A The matter is not covered in my affidavit. I  
15 did not have occasion to go through the Department's  
16 records to study that subject.

17 Q Did you know it as -- did you not know it as  
18 a matter of common knowledge in foreign affairs?

19 THE PRESIDENT: The witness is not required  
20 to answer. This Tribunal is not obliged to tolerate  
21 even Japanese counsel insisting upon not observing  
22 the rules.

23 MR. S. OKAMOTO: I believe that my -- what I  
24 should do in this case is to observe strictly the  
25 limits of the affidavit. What are the rules I should



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1 observe? I believe that it is that I should stay with-  
2 in the limits of the affidavit.

3 THE PRESIDENT: I have said so repeatedly.

4 MR. S. OKAMOTO: Then may I not question him  
5 further concerning anti-Japanese activities in America?

6 THE PRESIDENT: No, except in so far as they  
7 are right within some statement of fact in his affidavit.

8 MR. S. OKAMOTO: In the affidavit it is stated  
9 that friendly relations with Japan were maintained. I  
10 wish, therefore, to question a statement from the  
11 witness concerning the fact that the original fissure --  
12 the original thing which brought the cleavage in the  
13 friendly relations was the anti-Japanese policy  
14 pursued by America.

15 THE PRESIDENT: You have already described  
16 that as a matter of common knowledge. If you think  
17 so there is no need to ask this witness any question  
18 relating to it.

19 Q Was there a movement persecuting Japanese  
20 school children in San Francisco just after the Russo-  
21 Japanese War?

22 THE PRESIDENT: That is beyond the scope of  
23 the affidavit.

24 MR. S. OKAMOTO: I conclude my cross-examin-  
25 ation.

1 MR. LOGAN: There will be no further cross-  
2 examination, your Honor.

3 MR. KEENAN: Mr. President.

4 THE PRESIDENT: Mr. Chief of Counsel.

5 MR. KEENAN: The next witness will be Admiral  
6 Richardson, United States Navy, who will be examined  
7 by Captain Robinson of the United States Navy.

8 THE PRESIDENT: There will be no re-examination  
9 of this witness?

10 MR. KEENAN: No re-examination.

11 THE PRESIDENT: Mr. Ballentine is released  
12 as a witness on the usual terms.

13 (Whereupon, the witness was excused.)  
14

15 THE PRESIDENT: Captain Robinson.

16 CAPTAIN ROBINSON: Mr. President and Members  
17 of the Tribunal:

18 It is now proposed to present evidence to  
19 show plans and preparations made by the Japanese Navy  
20 leading up to the naval hostilities which Japan initi-  
21 ated and waged at Pearl Harbor on 7 December 1941.  
22 This evidence is offered in proof of the violations  
23 of international law charged in the Indictment, partic-  
24 larly in Appendix A, Section 5(a), charging Japanese  
25 naval preparation for wars of aggression, and in



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1 Counts 20 and 29 charging Crimes against Peace, Count  
2 37 charging Conspiracy to Murder, and Count 39 charg-  
3 ing Murder.

4 May the witness, Admiral Richardson, be  
5 called to the witness stand.

6  
7 J A M E S O. R I C H A R D S O N, Admiral, USN  
8 (Ret.), called as a witness on behalf of the  
9 prosecution, being first duly sworn, testified  
10 as follows:

## 11 DIRECT EXAMINATION

12 BY CAPTAIN ROBINSON:

13 Q Will you state your name, rank, and present  
14 station?

15 A James O. Richardons, Admiral, United States  
16 Navy, Retired, on duty in the Office of the Chief of  
17 Naval Operations, Navy Department, temporarily assigned  
18 to duty with the Supreme Commander for the Allied Powers  
19 in connection with this Tribunal.

20 Q In the course of this duty have you prepared,  
21 on the basis of records in the Navy Department, a  
22 statement on matters in question here, namely, the plans  
23 and preparations made by the Japanese Navy leading up  
24 to the naval hostilities which the Japanese initiated  
25 and waged at Pearl Harbor on 7 December 1941?

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1 A Yes

2 Q Before presenting that statement, will you  
3 answer some questions bearing upon your previous  
4 service, training and experience in the United States  
5 Navy?

6 A Yes.

7 Q How long have you been in the service of the  
8 United States Navy, particularly in the Pacific area?

9 A Since 1898.

10 Q You graduated from the United States Naval  
11 Academy in 1902?

12 A Yes.

13 Q Upon graduation from the Academy you were  
14 ordered to the United States Asiatic Fleet and on 29  
15 June 1902 you arrived in Manila Bay?

16 A Yes.

17 Q Your answer, Admiral?

18 A Yes.

19 Q And after service in the Philippines and on  
20 the North China Coast, you were in Japan from September  
21 to December, 1903, and later at Yokohama from February  
22 to May, 1904?

23

24

25

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1 A Yes.

2 Q You were at Yokohama in May, 1904, at  
3 the time of the **outbreak** of the Russo-Japanese War  
4 and you observed the departure of the Russian Minister,  
5 the mobilization of sections of the Japanese army, and  
6 saw Japanese news bulletins telling of the Japanese  
7 attack on Russian forces off Port Arthur and at  
8 Chemulpo?

9 A That is correct.

10 Q You later commanded the USS ASHEVILLE off  
11 the Asiatic Coast?

12 A Yes, from September, 1922, to March, 1924.

13 Q You were in command, during part of that time,  
14 of the South China Patrol with headquarters at Canton?

15 A Yes, from 5 August 1923 to 15 March 1924.

16 Q You later commanded the USS AUGUSTA in the  
17 Pacific area?

18 A Yes, from June 1931 to May, 1933.

19 Q You were assigned to the United States Naval  
20 War College for duty under instruction in 1933 and 1934?

21 A Yes; yes.

22 Q At the War College you made a special study of  
23 Japanese political policy and naval strategy?

24 A That is correct.

25 Q And, as part of that course, did you prepare

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1 and submit a thesis on the subject: "The Relationship  
2 between Japanese Policy and Strategy in the Chinese  
3 and Russian Wars, and its Lessons to Us?"

4 A That is correct.

5 Q Was this subject assigned to you or did you  
6 select it because of your interest in Japanese political  
7 policy and naval strategy as aroused by your observations  
8 and strengthened by your study over a period of many  
9 years?

10 A I selected that subject for special study  
11 and report because of my interest in the subject.

12 Q And in this thesis or report on that subject  
13 you worked out and stated your conclusions as they  
14 were at that time?

15 A Yes, I wrote out my conclusions as they were  
16 at that time.

17 Q You were again at sea in the Pacific from  
18 1935 to 1937?

19 A Yes.

20 Q During these years you were successively  
21 Commander of a Cruiser Division, later Chief of Staff,  
22 United States Fleet, and later Commander of the  
23 destroyers of the scouting force?

24 A Yes.

25 Q Will you state the five senior positions in

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1 in the command of the United States Navy?

2 A Of course, the President of the United States,  
3 as the head of our nation is made by the United States  
4 Constitution the Commander-in-Chief of the Army and  
5 Navy. Under the President as head of the Naval estab-  
6 lishment, is a civilian Cabinet officer, the Secretary  
7 of the Navy. These two civilian officials and their  
8 civilian associates are responsible for the determin-  
9 ation of the policy of the United States.

10 Next, as principal naval adviser to the Presi-  
11 dent and to the Secretary of the Navy, is the Chief  
12 of Naval Operations who, as the commanding head of the  
13 Navy is responsible for the execution of the naval  
14 policy determined by higher authorities. Next in  
15 command at that time was the Commander-in-Chief, United  
16 States Fleet; and next in command under him was Commander,  
17 Battle Force, United States Fleet, who commanded the  
18 heavier ships of the fleet.

19 Q When did you serve as Assistant Chief of Naval  
20 Operations?

21 A From June, 1937, to June, 1938.

22 C In connection with your official naval duties  
23 at that time, and particularly at the time of the  
24 sinking of the USS PANAY on 12 December 1937, were you  
25 in close touch with the activities of Japan in China?



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1 MR. LOGAN: If the Tribunal please, I recognize  
2 that these are preliminary questions, but I think we  
3 are reaching a stage now if Captain Richardson intends  
4 to ask any more questions with regard to the Admiral's  
5 activities they should not be put in leading form  
6 and conclusions.

7 THE PRESIDENT: I gave the Admiral permission  
8 to put the whole of his statement in writing, acting  
9 on behalf of the Tribunal.

10 CAPTAIN ROBINSON: These are preliminary  
11 introductory questions, sir. I have just one or two  
12 more.

13 BY CAPTAIN ROBINSON (Continued):

14 Q From 1938 to 1939 you were Chief of the Bureau  
15 of Navigation, now the Bureau of Naval Personnel?

16 A Yes.

17 Q When were you Commander, Battle Force, United  
18 States Fleet?

19 A In 1939 and 1940.

20 Q Were you Commander-in-Chief of the United  
21 States Fleet?

22 A Yes.

23 Q When were you Commander-in-Chief of the United  
24 States Fleet?

25 A From January, 1940, until 1 February 1941.



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1 Q During what part of that period was the United  
2 States Fleet based at Pearl Harbor?

3 A From late April, 1940, until 1 February 1941.

4 Q Since 1 February 1941 have you had any naval  
5 command responsibilities or any other official responsi-  
6 bilities in connection with the relations of the United  
7 States with Japan, either before or during the war?

8 A None whatever.

9 Q Will you please state the authority under  
10 which you have been designated to appear as a witness  
11 before this Tribunal and will you now present the state-  
12 ment which you have prepared in compliance with that  
13 designation?

14 MR. LOGAN: If the Tribunal please, the  
15 objections of the defense to this statement and its  
16 use have been fully made heretofore in Chambers. At  
17 this time we merely wish to renew the objections made  
18 and the reasons therefor at that time.

19 THE PRESIDENT: The objection is overruled.

20 CAPTAIN ROBINSON: I should like to say, your  
21 Honor, in that connection that in accordance with the  
22 Court's direction the prosecution delivered to members  
23 of defense counsel on 6 September 1946, two and a half  
24 months ago, copies of the statement to some five members  
25 of defense counsel, and on 6 November the prosecution

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1 left copies with the rest of the defense counsel in  
2 accordance with the Court's order.

3 Now, may it please the Court, I produce the  
4 witness' statement, IPS document No. 6257, and ask  
5 that the clerk give it an exhibit number for identi-  
6 fication only. After the witness has testified, I shall  
7 then present the statement in evidence, modified to  
8 agree with the oral presentation of the witness.

9 CLERK OF THE COURT: Prosecution's document  
10 No. 6257 will receive exhibit No. 1249 for identification  
11 only.

12 (Whereupon, the document above referred  
13 to was marked prosecution's exhibit No. 1249 for  
14 identification.)  
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1 THE PRESIDENT: Mr. Brannon.

2 MR. BRANNON: The question troubling me at  
3 the moment, Mr. President, is the degree of expert-  
4 ness of this witness in relation to the subject  
5 matter of his affidavit. I realize that he must give  
6 his testimony before the Tribunal is able to decide  
7 whether he is the type of expert that should have  
8 reached the conclusions contained therein. Since  
9 we have heard the qualifying statements of the wit-  
10 ness, may I respectfully request that the Tribunal  
11 rule as to the type of expert they consider the  
12 witness to be immediately upon the conclusion of his  
13 testimony?

14 THE PRESIDENT: The question as to the stage  
15 at which we should decide upon the expertness or  
16 otherwise of a witness has been already discussed.  
17 I have British and American authorities which I shall  
18 produce if necessary to the effect that the expert-  
19 ness of the witness could be determined at this  
20 stage before he gives his evidence, but I think you  
21 had better allow him to proceed and I can discuss the  
22 matter with my colleagues. We have a discretion in  
23 the matter. My reading of the law is that the  
24 Court has a discretion to determine the expertness  
25 of the witness as a preliminary matter or to leave

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1 it until after his evidence is given. In my own  
2 court in Australia we determine it as a preliminary  
3 matter. I understand in New Zealand it is otherwise,  
4 and perhaps the practice in other courts represented  
5 here or other countries represented here differs.

6 CAPTAIN ROBINSON: The witness will please  
7 proceed.

8 THE WITNESS: In order to avoid any mis-  
9 understanding, I wish to stress the fact that I am  
10 testifying neither as an expert witness, stating  
11 opinions, nor as a witness stating facts within his  
12 own knowledge, but I am simply presenting information  
13 contained in official records of the Navy Department  
14 of the United States on this one subject, namely, the  
15 plans and preparations made by the Japanese Navy  
16 leading up to naval hostilities which the Japanese  
17 initiated and waged at Pearl Harbor on 7 December  
18 1941. Because of the foregoing reasons and to avoid  
19 any possible contention that a few words in my pre-  
20 pared statement are statements of opinion, I shall  
21 omit those few words from my oral testimony, as I  
22 shall indicate at the appropriate place in presenting  
23 that testimony. (leading)

24 "1. In response to the request of the Supreme  
25 Commander for the Allied Powers, dated 31 May 1946,



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1 the Secretary of the Navy on 25 July 1946 designated  
2 me to appear as a witness before this Tribunal to  
3 present information in regard to documents in the  
4 custody of the Navy Department bearing on one subject  
5 only.

6 "2. I proceeded to consult official naval re-  
7 ports, records and documents made or kept by officers  
8 acting in the course of official duties and in ac-  
9 cordance with established naval procedure in in-  
10 vestigating, recording and reporting facts which are  
11 matters of concern to the United States. This statement,  
12 as I have stated, "is a report to this Tribunal of my  
13 investigation of those records which bear upon the  
14 subject of the plans and preparations made by the  
15 Japanese Navy leading up to the naval hostilities  
16 which Japan initiated and waged on and after 7  
17 December 1941. This subject will be presented under  
18 four headings, as follows:

19 "(1) The plans and preparations concerned with  
20 naval construction, particularly construction of air-  
21 craft carriers.

22 "(2) The plans and preparations concerned with  
23 the establishment of naval bases and the erection of  
24 fortifications in the Mandated Islands.

25 "(3) The plans and preparations concerned with

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1 consular espionage as an aid to naval attack.

2 "(4) The plans and preparations for secret  
3 attack by Japanese aircraft carrier task force upon  
4 the United States naval personnel and ships at Pearl  
5 Harbor, Hawaii, on 7 December 1941, without notifica-  
6 tion having been given by Japan to the United States  
7 that there would be a commencement of hostilities in  
8 a war by Japan against the United States."

9 In the last statement I have omitted the  
10 words which appear in my prepared statement, namely:  
11 "by a previous, explicit and reasoned warning."

12 (Reading):

13 "I

14 "The plans and preparations concerned with  
15 naval construction, particularly construction of  
16 aircraft carriers.

17 "The aircraft carrier was recognized as early  
18 as 1934 by the Japanese naval leaders, Admiral  
19 Isoroku YAMAMOTO and Admiral Osami NAGANO to be the  
20 best type of naval arm for expansion and aggression.  
21 This is shown by the following records of statements  
22 made by them."

23 CAPTAIN ROBINSON: If the Court please, at  
24 this point I offer in evidence IPS document No. 6250.  
25 It is entitled "Memorandum of Conversations between



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1 the American and Japanese Delegations, October 29,  
2 1934, at Claridges." The certificate attached shows  
3 that the document is part of the official records of  
4 the Navy Department, dealing with the London Naval  
5 Conference of 1935. The sentence to be quoted is at  
6 the middle of page 3. I offer the document in evi-  
7 dence.

8 THE PRESIDENT: Admitted on the usual terms.

9 CLERK OF THE COURT: Prosecution's document  
10 No. 6250 will receive exhibit number 1250.

11 (Whereupon, the document above re-  
12 ferred to was marked prosecution's exhibit  
13 No. 1250 and received in evidence.)

14 CAPTAIN ROBINSON: The witness will now con-  
15 tinue at paragraph 4.

16 THE WITNESS: (heading)

17 "4. This official Japanese position that air-  
18 craft carriers were essentially what they called  
19 'offensive' or aggressive naval arms was stated by  
20 Admiral YAMAMOTO and by Admiral NAGANO at meetings  
21 connected with the London Naval Conference of 1935.  
22 YAMAMOTO, who, seven years later, was to be the  
23 Commander-in-Chief of the Japanese Combined Fleet in  
24 the Pearl Harbor aircraft carrier attack, took the  
25 position at a meeting of the American and Japanese

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1 delegations on 29 October 1934 that Japan should  
2 not be suspected of having aggressive designs in the  
3 Far East. In supporting this position, YAMAMOTO said  
4 that the Japanese, in fact, were willing to abolish  
5 aircraft carriers -- upon terms which the Japanese would  
6 consider satisfactory to themselves -- whereas, he  
7 said, 'If they (the Japanese) had aggressive designs  
8 in the Far East, nothing would be more useful than the  
9 retention of aircraft carriers.'

10 "5. Admiral NAGANO, the leader of the Japanese  
11 delegation in the London Conference, who was soon to  
12 become Japanese Navy Minister and later, at the time  
13 of the Pearl Harbor aircraft carrier attack, to be  
14 the Chief of the Japanese Naval General Staff,  
15 speaking at an official session of the London Con-  
16 ference on 15 January 1936, stated again the Japanese  
17 view that aircraft carriers were the principal type  
18 of aggressive naval arms. NAGANO said," as shown  
19 in the middle of page 3 of the exhibit just intro-  
20 duced, "'In order to establish as complete a state  
21 of non-aggression and non-menace as possible, we  
22 advocate\*\*\*\*\*the abolition of aircraft carriers,'  
23 and a drastic reduction in capital ships and "A"  
24 Class cruisers."  
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1 CAPTAIN ROBINSON: Now, if the Court please,  
2 I present IPS document No. 6251. It is a book en-  
3 titled, "The Department of State Conference Series  
4 No. 24. THE LONDON NAVAL CONFERENCE 1935.

5 I request that the Clerk give this document  
6 a court exhibit number for identification only.

7 CLERK OF THE COURT: Prosecution's document  
8 No. 6251 will receive exhibit No. 1251, for identi-  
9 fication only.

10 (Whereupon, the document above men-  
11 tioned was marked prosecution's exhibit  
12 No. 1251 for identification.)

13 CAPTAIN ROBINSON: I now offer in evidence  
14 IPS document 6251-A, an excerpt from court exhibit  
15 1251 marked for identification only. The excerpt  
16 consists of four pages. It is presented to show  
17 the statement of the accused NAGANO, at the middle  
18 of page 3 of the document.

19 THE PRESIDENT: Admitted on the usual terms.

20 CLERK OF THE COURT: Prosecution's document  
21 No. 6251-A will receive exhibit No. 1251-A.

22 (Whereupon, the document above  
23 referred to was marked prosecution's  
24 exhibit No. 1251-A and received in evidence.)  
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1 CAPTAIN ROBINSON: The witness will please  
2 continue at paragraph 5.

3 THE WITNESS:

4 "5. Admiral NAGANO, the leader of the Japanese  
5 delegation in the London Conference, who was  
6 soon to become Japanese Navy Minister and  
7 later, at the time of the Pearl Harbor aircraft  
8 carrier attack, to be the Chief of the Japanese  
9 Naval General Staff, speaking at an official  
10 session of the London Conference on 15 January  
11 1936, stated again the Japanese view that air-  
12 craft carriers were the principal type of  
13 aggressive naval arms. NAGANO said," as shown  
14 in the middle of page 3 of the exhibit just  
15 introduced, "'In order to establish as complete  
16 a state of non-aggression and non-menace as  
17 possible, we advocate\*\*\*\*the abolition of  
18 aircraft carriers,' and a drastic reduction in  
19 capital ships and A class cruisers.  
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1 "6. The official naval leadership and the per-  
2 sonal cooperation of NAGANO and YAMAMOTO are indi-  
3 cated not only by their joint efforts in connection  
4 with the London Naval Conference, but also by the  
5 fact that NAGANO and YAMAMOTO for a considerable  
6 period in 1936-1937 served together as Navy Minister  
7 and Vice Minister, respectively, and later, in 1941-  
8 1943, as Chief of the Japanese Naval General Staff  
9 and Commander-in-Chief of the Combined Fleet, re-  
10 spectively, the positions in which they took the  
11 lead in working out the plans and in issuing the  
12 orders for the Pearl Harbor attack.

13 "7. The records further show that NAGANO and  
14 YAMAMOTO and their associates made the construction  
15 and use of aircraft carriers a central principle of  
16 Japanese naval policy. The execution of this policy  
17 involved three steps: first, the abolition of ex-  
18 isting treaty limitations on the construction of  
19 aircraft carriers, both quantitatively and qualita-  
20 tively, and the removal of the treaty barrier to  
21 secrecy in naval construction; second, the construc-  
22 tion of aircraft carriers and supporting naval units  
23 until Japan had carrier supremacy over the United  
24 States; and third, the use of an aircraft carrier task  
25 force for making a secret, sudden attack to destroy



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1 before the war began the men and ships of the United  
2 States Pacific Fleet while the ships were lying at  
3 anchor or moorings in Pearl Harbor.

4 "8. The first step, namely the abolition of  
5 existing treaty limitations on the construction of  
6 aircraft carriers, was carried out under the naval  
7 leadership of YAMAMOTO and NAGANO as Japanese naval  
8 representatives attending the meetings connected  
9 with the London Naval Conference. The Washington  
10 Treaty of 1922 had limited Japan by ratio to a total  
11 carrier tonnage of 81,000 tons. The Japanese repre-  
12 sentatives demanded the abolition of the existing  
13 treaty limitations on naval construction. The Japan-  
14 ese demanded in place of the existing ratio or pro-  
15 portional limitations a treaty limitation based on  
16 what they called 'a common upper limit.' The other  
17 nations considered that the adoption of the proposal  
18 would result in the abolition of any limitation  
19 rather than in the maintenance of any effective limi-  
20 tation. None of the other nations agreed with the  
21 Japanese demands. The Japanese gave notice on 29  
22 December 1934 of their intention to terminate the  
23 treaty under its terms to take effect 31 December 1936.  
24 On 16 January 1936, led by Admiral NAGANO, the Japan-  
25 ese withdrew from the conference, refusing to join



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1 the other nations in the formulation of a new treaty  
2 to limit naval construction.

3 "9. Under the provisions of the Washington Treaty  
4 of 1922 and the London Treaty of 1930, Japan, the  
5 United States and Great Britain had been exchanging  
6 reports on their naval construction. When not bound  
7 by these treaty provisions because of her termination  
8 thereof, Japan, in communications which included  
9 letters exchanged in 1938 between Foreign Minister  
10 HIROTA and Ambassador Grew, rejected American, British,  
11 and French proposals for the reciprocal exchange of  
12 information on naval construction. Japan, however,  
13 continued to obtain extensive information in regard  
14 to naval construction in the United States by methods  
15 including consular espionage which will be considered  
16 later.

17 "10. As the second step in Japanese naval policy,  
18 the Japanese Navy and Government between 1936 and  
19 1941 proceeded with an expanded program of aircraft  
20 carrier construction. In 1936, Japan had four car-  
21 riers, with a tonnage of 68,400 tons. By 7 December  
22 1941, however, only five years later, Japan had more  
23 than doubled her carrier strength, having ten carriers,  
24 with a total tonnage of 178,070 tons."  
25

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1 "11. In addition to increases in aircraft  
2 carrier construction, Japan, between 1931 and 1941,  
3 increased her heavy cruisers from eight in 1931 to  
4 eighteen in 1941, destroyers from fifty-two to 102,  
5 and submarines from forty-four to seventy-four. Dur-  
6 ing the same period, the United States facing increas-  
7 ing naval responsibilities in two oceans brought its  
8 total number of heavy cruisers from ten to eighteen,  
9 the same number as Japan, while the number of des-  
10 troyers dropped from 225 to 171, and the number of  
11 submarines increased from eighty-one to 112. By way  
12 of comparison in aircraft carriers, in the years 1934  
13 and 1936, when Admiral YAMAMOTO and Admiral NAGANO,  
14 respectively, made the statements at the London  
15 Naval Conference as quoted above, the Japanese Navy  
16 and the United States Navy each had four aircraft  
17 carriers. On 7 December 1941, whereas Japan had ten  
18 aircraft carriers, the United States had only six and  
19 only three of them were in the Pacific.  
20

21 "12. The third and final step in the exec-  
22 ution of the Japanese naval policy with regard to the  
23 construction and use of aircraft carriers was the use  
24 made by Japan of an aircraft carrier task force as  
25 the attacking force in the Pearl Harbor attack. The  
six carriers which the Japanese sent against Pearl

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1 Harbor, namely, KAGA, AKAGI, SORYU, HIRYU, SHOKAKU  
2 and ZUIKAKU, were the Japanese Navy's most powerful  
3 carriers. They constituted 75% of the Japanese Navy's  
4 entire carrier strength, and they sent into the  
5 attack 360 planes, constituting possibly 75% of the  
6 total Japanese carrier plane strength. The maximum  
7 total number of carrier based planes which the United  
8 States naval forces could have mustered if the two  
9 carriers then in the Hawaiian area, namely the USS  
10 LEXINGTON and the USS ENTERPRISE, had been at Pearl  
11 Harbor would have been approximately 180. In other  
12 words, Japanese naval construction of aircraft car-  
13 riers between 1936 and 1941 enabled Japan to sent  
14 against the United States Navy's men and ships at  
15 Pearl Harbor one of the most powerful task forces  
16 ever assembled up to that time, with overwhelming  
17 carrier air force supremacy over the naval forces  
18 attacked. Moreover, a principal target and objec-  
19 tive of the Japanese Navy in making the attack was  
20 to destroy the two United States carriers based at  
21 Pearl Harbor, and thereby to increase the already  
22 predominant Japanese carrier supremacy in the Paci-  
23 fic.

24 "13. To summarize, Japanese plans and prep-  
25 arations concerned with naval construction between

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1 1931 and 1941 were characterized by the express  
2 recognition by NAGANO and YAMAMOTO, leading Japan-  
3 ese naval authorities, that aircraft carriers were  
4 the principal type of naval construction for con-  
5 ducting aggressive naval warfare, and by the term-  
6 ination by Japan of existing treaty limitations on  
7 the construction of carriers and other naval arms.  
8 Japanese naval plans and preparations, moreover,  
9 featured the construction of aircraft carriers until  
10 in 1941 Japan had attained decisive supremacy over the  
11 United States and other nations in aircraft carriers.  
12 And finally, as the climax of her naval policy of  
13 expansion and aggression, Japan on 7 December 1941,  
14 used an aircraft carrier task force to make a sud-  
15 den, secret attack designed to annihilate United  
16 States naval power in the Pacific before war had  
17 actually been declared."

18 THE PRESIDENT: At this stage I had better  
19 refer to the authorities that I mentioned earlier.  
20 Underhill's Criminal Evidence, Fourth Edition, page  
21 440, section 236. "Before experts testify their  
22 knowledge and experience should ordinarily be  
23 inquired into, so that the Court may determine their  
24 competency." Similar statements appear in Wharton's  
25 Criminal Evidence, Eleventh Edition, page 1709, and



1 American Jurisprudence, page 659. Nevertheless,  
2 without prejudice the defense could postpone their  
3 cross-examination on expertness until after the  
4 examination in chief has been given. They may  
5 decide to follow that course here. Expertness goes  
6 not to admissibility, really, but to weight only,  
7 strangely enough. That appears at Underhill, at the  
8 page I have stated.

9 We will adjourn now until half past one.

10 ("Whereupon, at 1200, a recess was taken.)  
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## AFTERNOON SESSION

1 The Tribunal met, pursuant to recess,  
2 at 1330.

3 MARSHAL OF THE COURT: The International  
4 Military Tribunal for the Far East is now resumed.

5 - - - -

6 JAMES O. RICHARDSON, called as a  
7 witness on behalf of the prosecution, resumed  
8 the stand and testified as follows:  
9

10 DIRECT EXAMINATION (Continued)

11 THE PRESIDENT: Captain Robinson.

12 CAPTAIN ROBINSON: May the witness proceed,  
13 your Honor?

14 THE PRESIDENT: Yes.

15 THE WITNESS: (Reading)

16 "II

17 "The plans and preparations concerned with  
18 the establishment of naval bases and the  
19 erection of fortifications in the Mandated  
Islands.

20 "14. Documentary evidence will now be pre-  
21 sented which indicates that the Japanese naval policy  
22 with respect to the Mandated Islands was characterized  
23 by the same objectives as those with respect to the  
24 Japanese naval policy on aircraft carriers, namely,  
25 to develop and use them for naval expansion and

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aggression.

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2 "15. The execution of this policy like-  
3 wise was along the same lines of activity as those  
4 which were pursued in the execution of the policy  
5 with respect to aircraft carriers, namely, (1) the  
6 termination, or in this case, the direct violation  
7 of treaty limitations, (2) the construction of fort-  
8 ifications and of naval bases in the Islands, and  
9 (3) the use of the Islands' fortifications and bases  
10 in initiating and waging naval hostilities against  
11 the United States and her allies on and after 7 Dec-  
12 ember 1941.

13 "16. The treaty and mandate limitations  
14 were established (1) by the Treaty of Versailles  
15 (1920), (2) by the mandate of the Islands to Japan  
16 pursuant to the Treaty and (3) by the Mandates treaty  
17 between the United States and Japan (1922). These  
18 limitations are stated as follows:

19 '...no military or naval bases shall be  
20 established or fortifications erected in  
21 the territory' of the Mandated Islands.

22 "17. Numerous documents show that the Jap-  
23 anese Navy and Government established naval bases in  
24 the Mandated Islands, but for the sake of brevity  
25 and because of its adequacy, only one of them is

1 presented. That document is the Japanese Navy's  
2 Combined Fleet Top Secret Operation Order No. 1.  
3 (IPS Document No. 17)!"  
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1 CAPTAIN ROBINSON: Now, if the Court please,  
2 I offer in evidence IPS document No. 17, entitled  
3 "Combined Fleet Top Secret Operation Orders No. 1,  
4 No. 2 and No. 7." To this document is attached the  
5 certificate of the appropriate official of the  
6 Japanese Government showing that the original document  
7 was part of the official files of the Japanese Combined  
8 Fleet Headquarters aboard the Battleship Nagato, and  
9 part of the official files of the Japanese Navy Minis-  
10 try.

11 Also attached is the certificate of Lieutenant  
12 Robert I. Curts. Paragraphs 3 and 4 of this certificate  
13 will now be read with the purpose chiefly of indicating  
14 the circumstances under which the custody has been  
15 obtained of the first and fundamental operational  
16 order under which the Japanese Navy prepared for and  
17 commenced hostilities in 1941.

18 Paragraphs 3 and 4 of the certificate read  
19 as follows:  
20

21 "3. The Japanese cruiser NACHI--"

22 THE PRESIDENT: Admitted on the usual terms.

23 CLERK OF THE COURT: Prosecution's document  
24 No. 17 will be marked exhibit No. 1252.

25 (Whereupon, the document above  
referred to was marked prosecution's exhibit

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1 No. 1252, and was received in evidence.)

2 CAPTAIN ROBINSON: May I proceed, sir, with  
3 the certificate? May I proceed reading the certificate?

4 THE PRESIDENT: Yes.

5 CAPTAIN ROBINSON: Yes, sir.

6 (Reading)

7 "3. The Japanese cruiser NACHI was sunk in Manila  
8 Bay 5 November 1944 by planes from the USS LEXINGTON.  
9 In the latter part of March, 1945, reports by pilots  
10 of aircraft attached to the LEXINGTON were used in  
11 obtaining a rough fix of the location of the NACHI.  
12 A search was made by YP 421 which located and buoyed  
13 the wreck. A special party of officers including  
14 Lieutenant (jg) Albert Altman, USNR, and myself, was  
15 sent as an Intelligence team from the Fleet Intel-  
16 ligence Center, Manila, for the purpose of obtaining  
17 the ships' papers from the hull of the NACHI. On 2  
18 April 1945, which was the third day after the begin-  
19 ning of diving operations, salvage divers brought up  
20 from the NACHI a bundle wrapped in burlap which they  
21 had found in the charthouse of the NACHI. Upon sur-  
22 facing, the divers delivered the bundle to Lieutenant  
23 Altman and me. We took the bundle to Manila in a  
24 crash boat and delivered it to our Intelligence Team  
25 Headquarters at 77 Delpan Street, Manila, on the

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1 night of 2 April 1945. The bundle was then opened  
2 by myself, Lieutenant (jg) Altman, Lieutenant (jg)  
3 B. R. Carlson, and Lieutenant (jg) G. V. Mattles.  
4 We made a precis of the MACHI documents contained in  
5 the bundle. We then stored the documents in mail  
6 bags and had them taken to Tolosa by Lieutenant  
7 Lawrence F. Ibb, USNR. He then transferred the bags  
8 to Captain Arthur H. McCollum, USN, the 7th Fleet  
9 Intelligence Officer, who caused the documents to be  
10 microfilmed because they were in an advanced stage  
11 of deterioration resulting from prolonged immersion  
12 in salt water. Captain McCollum then forwarded the  
13 papers and the copy of the micro-film to Allied  
14 Translator and Interpreter Section, S'PA (ATIS),  
15 Brisbane, Australia, where they were received by  
16 Colonel Sidney F. Mashbir for ATIS. He caused trans-  
17 lations from Japanese to English to be made of all  
18 of the MACHI documents. The ATIS translations were  
19 published as Limited Distribution Translation 39,  
20 Parts I to XII, of which Part VIII includes Combined  
21 Fleet Top Secret Operation Order No. 1 and Order No.  
22 2.  
23  
24 "4. ATIS then (in July, 1945) forwarded the  
25 papers and the micro-film to the Office Of Naval In-  
telligence, Navy Department, Washington, I. C., where



1 I received them into my custody. The documents and  
2 micro-film remained in my custody until April, 1946,  
3 when they came into the custody of the Washington  
4 Document Center, in charge of Captain Benson Fullin-  
5 wider, Stewart Building, Washington, D. C., where  
6 they are now kept."



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1 The court exhibit number is what, Mr. Clerk?

2 CLERK OF THE COURT: 1252.

3 CAPTAIN ROBINSON: The witness will  
4 please continue.

5 THE WITNESS: (Reading) "18. Admiral  
6 YAMAMOTO, as Commander-in-Chief Combined Fleet,  
7 issued this order from his flagship, the NAGATO, on  
8 5 November 1941. That is indicated by page 2/1 of the  
9 document just introduced.

10 "It was an order that 'Combined Fleet  
11 Operations in the war against the United States,  
12 Great Britain, and the Netherlands will be con-  
13 ducted in accordance with the separate volume.'  
14 The separate volume, in 151 pages of text, tables  
15 and charts, outlines operations for a war beginning  
16 with the attack on Pearl Harbor (shown on pages  
17 2/17 and 2/18). It provides for preparations for  
18 war, communications, supply, allocation of forces  
19 and other details.

20 "19. The Mandated Islands appear in many  
21 places in this order. At page 2/67 the order  
22 establishes an allotment of supply bases. The  
23 supply bases allotted to the South Seas Force  
24 and the Advanced Expeditionary Force are the  
25 following Mandated Islands: SAIPAN, KWAJALEIN,

1 WOTJE, JALUIT, TAROA, TRUK, FONAPE, and PALAU.

2 These eight bases constitute more than half of  
3 the total number of naval supply bases thus  
4 allotted, namely a total of fifteen.

5 "20. At pages 2/76 to 2/78 is an Appended  
6 Table 1, giving initial fuel allowances for supply  
7 bases. The boiler oil allowance to five of the  
8 eight Mandated Island bases totals 46,500 metric  
9 tons. Likewise allotted to the Mandate bases  
10 are great quantities of aviation fuel, bombs,  
11 machine gun ammunition, torpedoes and mines.  
12 Rations are allotted for 36,000 persons per  
13 month at the eight Mandate bases. Large monthly  
14 replenishment allowances are tabulated at pages  
15 2/91 to 2/94. Aircraft material for the South  
16 Seas area is to be replenished at TRUK, and sub-  
17 marine material at KWAJALEIN.

18 "21. No doubt Order No. 1 is accurate  
19 in applying the term 'bases' to these Mandate  
20 installations. The materials, the quantities  
21 and the areas involved indicate that these naval  
22 bases and their equipment for storage, transport,  
23 communications, and guns and ammunition had been  
24 established on a large scale and over a considerable  
25 period of time. Other documents on this point are

1 available for presentation or examination.

2 "22. The Mandated Islands appear in  
3 Order No. 1 also in tables of allocations of  
4 forces (pages 2/104, 105, 106). The South Seas  
5 Force, centering about the 4th Fleet (commonly  
6 called the Mandates Fleet) is allocated for  
7 rendezvous the South Seas or Mandated Islands.  
8 Operating from these bases it is ordered to aid  
9 in covering the withdrawal of the Pearl Harbor  
10 striking force, to attack Wake and Guam as quickly  
11 as possible, and to cooperate with the striking  
12 force 'in the occupation of strategic areas.'  
13 Also based in the Mandates is the Commerce Destruction  
14 Unit, apparently submarines assigned by the  
15 Order to destroy sea traffic. Japanese submarines  
16 of the 6th Fleet and of other fleets regularly  
17 used bases in the Mandates. Submarines en route  
18 from Japan to Pearl Harbor rendezvoused at Kwajalein.

19 "23. It is clear, therefore, that the  
20 Japanese Navy before 7 December 1941 had estab-  
21 lished naval bases in the Mandated Islands.

22 "24. Likewise many other documents show  
23 that the Japanese Navy and Government erected fort-  
24 ifications in the Mandated Islands. For brevity  
25 only one set consisting of three documents is pre-

1       sented here. Two of these documents (IPS Documents  
2       No. 6254-A and No. 6254-B) are aerial reconnaissance  
3       photographs of WOTJE Island taken by United States  
4       Navy photographic intelligence units in January  
5       1942, less than two months after war began. The  
6       third document (IPS Document No. 6254-C) is a Jap-  
7       anese blueprint map of WOTJE dated 10 November 1940  
8       captured by American forces landing at Kwejalein  
9       in February 1944."

10               CAPTAIN ROBINSON: I believe that was  
11       10 August, was it not?

12               THE WITNESS: 10 August.

13               CAPTAIN ROBINSON: 10 August 1940.

14               THE WITNESS: 10 August 1940.  
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RICHARDSON

DIRECT

1 CAPTAIN ROBINSON: I now offer in evidence,  
2 if the Court please, IPS document No. 6254-A, 6254-B,  
3 and 6254-C, the two photographs and the blueprint map  
4 of Wotje Island.

5 THE PRESIDENT: Admitted on the usual terms.

6 CLERK OF THE COURT: Prosecution's documents  
7 No. 6254-A, 6254-B and 6254-C will be given exhibit  
8 No. 1253: 6254-A, 1253-A; 6254-B, 1253-B; and 6254-C,  
9 1253-C.

10 (Whereupon, the documents above  
11 referred to were marked prosecution's exhibits  
12 No. 1253-A, 1253-B, and 1253-C, respectively,  
13 and were received in evidence.)

14 CAPTAIN ROBINSON: The witness will now proceed.

15 THE WITNESS: (Reading)

16 "25. An examination of these photographs shows  
17 that WOTJE, before 31 January 1942, had been fortified  
18 and equipped as a combination of a island fortress and  
19 a naval base. The blueprint map shows that before 10  
20 August 1940 the Japanese Navy and Government had al-  
21 ready created extensive fortifications. The magnitude  
22 of the Japanese naval installations at WOTJE is indi-  
23 cated by the tables of numbered items attached to  
24 each document.

25 "26. The photograph C-23, WOTJE Island, North End,

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1 (IPS Document No. 6254-A) shows the center of the  
2 Island to be covered by two intersecting paved air-  
3 field runways, each 300 feet wide, one more than a  
4 mile long (5700 feet), the other 3900 feet long,  
5 and suitable for large land-based bombers as well  
6 as lesser aircraft. Two (or three) large hangars and  
7 two large, shop-type buildings are seen west of the  
8 runways. North of these hangars is a large seaplane  
9 ramp, with a hangar 150 feet wide by perhaps 300  
10 feet long suitable for the largest seaplanes.

11 "27. Many gun positions are seen, including a  
12 northern and a southern 3-gun Dual Purpose Anti-Air-  
13 craft and Coast Defense Battery each with adjacent  
14 power plant, munitions storage, command post and  
15 barracks area. The guns are probably 5-inch or 6-  
16 inch guns. Numerous blockhouses are observed along  
17 the shore in the photographs and map.

18 "28. Storage tanks for heavy oil and structures  
19 for ammunition storage are indicated on the Japanese  
20 map by lettering and also on the photographs by  
21 clouds of black smoke showing where U. S. Navy avia-  
22 tors have located the tanks and ammunition storages.

23 "29. Trenches, pillboxes, machine gun emplacements,  
24 wire entanglements, a connecting system of roads,  
25 plus a total of more than fifty buildings are also

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1 to be observed on the photographs and map.

2 "30. In photograph C-22 (IPS Document No. 6254-B)  
3 are shown the large, two-story radio transmitter  
4 buildings, flanked by three radio towers, and by  
5 other buildings and tanks.

6 "31. The total volume of installations on "OTJE,  
7 as shown by this Japanese map dated 10 August 1940  
8 and by these aerial photographs dated 31 January 1942,  
9 is sufficient to show that the Japanese Navy and  
10 Government had been engaged in establishing the  
11 bases and erecting the fortifications at least prior  
12 to the middle of 1940 and perhaps at least during  
13 the entire year 1940 as well as 1941. I am informed  
14 that additional evidence on this point has been intro-  
15 duced in another section of this case in the form of  
16 statements from residents of the Islands who worked  
17 on the construction at "OTJE for the Japanese.

18 "32. It appears that the documents prepared by  
19 the Japanese Navy, namely Combined Fleet Top Secret  
20 Operation Order No. 1 and the Map of "OTJE, are suf-  
21 ficient to show that the Japanese Navy and Government  
22 before 7 December 1941 established naval bases and  
23 erected fortifications on these islands."  
24  
25

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## "III

"The plans and preparations concerned with consular espionage as an aid to naval attack.

"33. Numerous documents and records show that the Japanese Navy and Government, particularly the Foreign Office, between 1931 and 1941, were engaged in a policy of surveillance, reconnaissance and espionage with respect to the naval establishment and activities of the United States Navy and Government.

"34. The United States Naval Court of Inquiry on the Pearl Harbor Attack stated, in its findings of fact, that Japan's espionage system utilized her civilian, consular and diplomatic nationals throughout the world and enabled her to keep constantly informed of the United States naval building program and of the location and movements of United States naval vessels.

"35. An extensive continuous espionage was conducted under the direction of the Japanese Navy and Government, particularly the Foreign Office, at Honolulu, through Consul General Nagao KITA and his 200 consular agents scattered throughout the Islands.

"36. Documents which show the nature and extent of this espionage and particularly its heavy contribution to the Pearl Harbor attack, will now be presented. These documents are authenticated copies of



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1 some of the messages exchanged between the Japanese  
2 Consul General's office at Honolulu and the Japanese  
3 Navy and Foreign Office at Tokyo. They were coded  
4 messages sent via commercial communication companies."

5 CAPTAIN ROBINSON: I present to the clerk  
6 IPS document No. 6255. It is a book entitled, "Japanese  
7 Messages Concerning Military Installations, Ship Move-  
8 ments, Etc." The book is accompanied by the certificate  
9 of the naval officer who assisted in preparing it and  
10 in introducing it in evidence in the hearings of the  
11 Joint Congressional Committee on the Investigation of  
12 the Japanese Attack on Pearl Harbor, Congress of the  
13 United States. I request the Clerk to give this book  
14 a Court exhibit number for identification only.

15 CLERK OF THE COURT: Prosecution's document  
16 No. 6255 will receive exhibit No. 1254 for identification  
17 only.

18 (Whereupon, the document above  
19 mentioned was marked prosecution's exhibit  
20 No. 1254 for identification.)

21 CAPTAIN ROBINSON: I now offer in evidence  
22 IPS document No. 6255-A, an excerpt from Court exhibit  
23 No. 1254 marked for identification only. This excerpt,  
24 like the other messages which will be introduced, is  
25 accompanied by the certificates of source and authenticity



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1 signed by the appropriate American and Japanese  
2 officials, including the former Japanese Consul  
3 General at Honolulu, KITA. I now offer the document in  
4 evidence.

5 THE PRESIDENT: Admitted on the usual terms.

6 CLERK OF THE COURT: Prosecution's document  
7 No. 6255-A will receive exhibit No. 1254-A.

8 (Whereupon, the document above  
9 referred to was marked prosecution's exhibit  
10 No. 1254-A and received in evidence.)

11 CAPTAIN ROBINSON: Will the witness please  
12 proceed.

13 THE WITNESS: (Reading)

14 "In order that the messages may be understood  
15 in their references to places and areas at Pearl Harbor,  
16 a chart of Pearl Harbor has been prepared and will now  
17 be offered."

18 CAPTAIN ROBINSON: I now offer in evidence  
19 IPS Document No. 6258. It is entitled: "Sketch Map of  
20 Pearl Harbor after the Attack of 7 December 1941.  
21 JICPOA D-1071. Showing Areas A,B,C,D, Locks, and  
22 Fatalities in Circles." It is accompanied by certifi-  
23 cates of source and authenticity signed by the appropriate  
24 officials.

25 THE PRESIDENT: Admitted on the usual terms.

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1 CLERK OF THE COURT: Prosecution's document  
2 No. 6258 will receive exhibit No. 1255.

3 (Whereupon, the document above  
4 referred to was marked prosecution's exhibit  
5 No. 1255 and received in evidence.)

6 CAPTAIN ROBINSON: If the Court please,  
7 enlargements based on this exhibit have been prepared  
8 as wall maps for the convenience of the Tribunal and  
9 others participating here, and, if it please the Tribunal,  
10 the court attendants will now roll these wall maps into  
11 place.

12 The map on the right, that is the Court's  
13 right or north wall space, is practically an exact  
14 duplicate of the hand map, IPS document No. 6258, now  
15 Court exhibit No. 1255. The other wall map represents  
16 a larger area. The certificates attached to the hand  
17 map also show the source and authenticity of the wall  
18 maps.

19 Will the witness please continue with the  
20 reading.

21 THE WITNESS: (Reading)

22 "The first message (which was just introduced)  
23 is from Tokyo, apparently from the Foreign Office  
24 because it bears the name of Admiral TOYODA,  
25 the Foreign Minister. It reads as follows:

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1           "From: Tokyo (Toyoda)

2           "To: Honolulu

3           "September 24, 1941

4           "#83

5           "Strictly secret.

6           "Henceforth, we would like to have you make  
7 reports concerning vessels along the following lines  
8 in so far as possible;

9           "1. The waters (of Pearl Harbor) are to  
10 be divided roughly into five sub-areas. (We have no  
11 objections to your abbreviating as much as you like.)

12           "Area A. Waters between Ford Island and the  
13 arsenal.

14           "Area B. Waters adjacent to the Island south  
15 and west of Ford Island. (This area is on the opposite  
16 side of the Island from Area A.)

17           "Area C. East Loch.

18           "Area D. Middle Loch.

19           "Area E. West Loch and the communicating  
20 water routes.

21           "2. With regard to warships and aircraft  
22 carriers, we would like to have you report on those at  
23 anchor, (these are not so important) tied up at wharves,  
24 buoys and in docks. (Designate types and classes  
25 briefly. If possible we would like to have you make

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1 mention of the fact when there are two or more vessels  
2 along side of same wharf.)'"  
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1 CAPTAIN ROBINSON: I now offer in evidence  
2 IPS document No. 6255-C with the appropriate certificates.

3 THE PRESIDENT: Admitted on the usual terms.

4 CLERK OF THE COURT: Prosecution's document  
5 No. 6255-C will be given exhibit No. 1256.

6 (Whereupon, the document above  
7 referred to was marked prosecution's exhibit  
8 No. 1256, and was received in evidence.)

9 CAPTAIN ROBINSON: The witness will please  
10 continue.

11 THE WITNESS: (Reading) "The next message  
12 (just introduced) from Tokyo, apparently is another  
13 Foreign Office message as it bears the name of Foreign  
14 Minister TOGO. It reads as follows:

15 "From: Tokyo (TOGO). To: Honolulu (RIYOJI).

16 "15 November 1941. #111.

17 "As relations between Japan and the United  
18 States are most critical, make your 'ships in harbor  
19 report' irregular, but at a rate of twice a week.  
20 Although you already are no doubt aware, please take  
21 extra care to maintain secrecy."

22 CAPTAIN ROBINSON: I now offer in evidence  
23 IPS document No. 6255-D, from the same source.

24 THE PRESIDENT: Admitted on the usual terms.

25 CLERK OF THE COURT: Prosecution's document



RICHARDSON

DIRECT

1 No. 6255-D will be given exhibit No. 1257.

2 (Whereupon, the document above  
3 referred to was marked prosecution's exhibit  
4 No. 1257, and was received in evidence.)

5 THE WITNESS: "The next message (just intro-  
6 duced) illustrates the type of information which the  
7 Japanese Consul General was sending to Tokyo less than  
8 a month before Pearl Harbor. It reads as follows:

9 "'From: Honolulu (KITA). To: Tokyo.

10 "'November 18, 1941. #222.

11 "'1. The warships at anchor in the Harbor  
12 on the 15th were as I told you in my #219 on that day.

13 "'Area A - A battleship of the Oklahoma class  
14 entered and one tanker left port.

15 "'Area C - 3 warships of the heavy cruiser  
16 class were at anchor.

17 "'2. On the 17th the Saratoga was not in  
18 the harbor. The carrier, Enterprise, or some other  
19 vessel was in Area C. Two heavy cruisers of the Chicago  
20 class, one of the Pensacola class were tied up at  
21 Docks "KS." 4 merchant vessels were at anchor in Area D.

22 "'3. At 10:00 a.m. on the morning of the  
23 17th, 8 destroyers were observed entering the Harbor.  
24 Their course was as follows: In a single file at a  
25 distance of 1,000 meters apart at a speed of 3 knots

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1 per hour, they moved into Pearl Harbor. From the  
2 entrance of the Harbor through Area B to the buoys in  
3 Area C, to which they were moored they changed course  
4 5 times each time roughly 30 degrees. The elapsed time  
5 was one hour, however, one of these destroyers entered  
6 Area A after passing the water reservoir on the  
7 Eastern side."

8 CAPTAIN ROBINSON: If the Court please, I  
9 now offer in evidence IPS document No. 6255-E, the  
10 same source.

11 THE PRESIDENT: Admitted on the usual terms.

12 CLERK OF THE COURT: Prosecution's document  
13 No. 6255-E will receive exhibit No. 1258.

14 (Whereupon, the document above  
15 referred to was marked prosecution's exhibit  
16 No. 1258, and was received in evidence.)

17 THE WITNESS: "The next message (just intro-  
18 duced) raises three important questions preparatory  
19 to the Pearl Harbor attack. It likewise bears the name  
20 of Foreign Minister TOGO and thereby indicates close  
21 liaison between the Japanese Foreign Office and the  
22 Japanese Navy. It reads as follows:

23 "From: Tokyo (TOGO). To: Honolulu.

24 "December 2, 1941. Explanatory Note: (Trans-  
25 lated by Army, 30 December 1941).

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DIRECT

1 "J-19. #123. (Secret outside the department). "

2 I believe that it is an explanatory note.

3 "In view of the present situation, the  
4 presence in port of warships, airplane carriers, and  
5 cruisers is of utmost importance. Hereafter, to the  
6 utmost of your ability, let me know day by day. Wire  
7 me in each case whether or not there are any observa-  
8 tion balloons above Pearl Harbor or if there are any  
9 indications that they will be sent up. Also advise me  
10 whether or not the warships are provided with anti-mine  
11 nets."

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1 CAPTAIN ROBINSON: If the Court please, I now  
2 offer in evidence IPS documents Nos. 6256-A, 6256-B,  
3 entitled respectively "Affidavid of Otto Kuehn dated  
4 1 Jan. 1942," and Affidavit of Otto Kuehn dated  
5 January 3, 1941 (1942). Appropriate certificates are  
6 attached.

7 THE PRESIDENT: Mr. Logan.

8 MR. LOGAN: If the Tribunal please, with  
9 respect to both of these exhibits, the document which  
10 the prosecution is offering is a photostatic copy,  
11 is apparently not an original document, and the upper  
12 right-hand corner and the lower right-hand corner of  
13 page 1 of each of those documents have been cut out.  
14 We do not know what was contained in each of these  
15 corners nor who cut them out.

16 THE PRESIDENT: That does not render them  
17 inadmissible, but it may be made the subject of cross-  
18 examination.

19 Admitted on the usual terms.

20 CLERK OF THE COURT: Prosecution document  
21 No. 6256-A will be given exhibit No. 1259, and document  
22 No. 6256-B will be given exhibit No. 1260.

23 (Whereupon, the documents above re-  
24 ferred to were marked respectively prosecu-  
25 tion's exhibits Nos. 1259 and 1260 and received



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1 in evidence.)

2 CAPTAIN ROBINSON: Witness, will you please  
3 continue.

4 THE WITNESS (Reading continued): "On the same  
5 day as the date of the preceding Japanese message,  
6 namely 2 December 1941, Bernard Julius Otto Kuehn,  
7 according to his recorded confession, (IPS document  
8 No. 6256-A and B, now prosecution's exhibits Nos.  
9 1259 and 1260, respectively) which has been presented  
10 in evidence, delivered to Consul-General KITA and his  
11 assistants at his office in Honolulu information and  
12 documents as requested by the Consul-General. The  
13 confession also indicates that Kuehn was paid a con-  
14 siderable sum of money, apparently not less than  
15 \$10,000, for his services in providing such informa-  
16 tion to the Japanese Consul-General and, therefore, in  
17 turn to the Japanese Navy and Foreign Office at Tokyo.  
18 The information and papers delivered by Kuehn in-  
19 cluded full details of United States ships present,  
20 with their berthing locations in the harbor, and also  
21 a comprehensive code of signals by which such informa-  
22 tion could be communicated to Japanese submarines or  
23 other Japanese naval units then en route to Pearl  
24 Harbor.

25 The Kuehn code, repeated practically verbatim



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DIRECT

1 CAPTAIN ROBINSON: If the Court please, I  
2 now offer in evidence IPS document No. 6255-F.  
3 It is another message -- another excerpt from the  
4 original source of these messages marked for identi-  
5 fication.

6 THE PRESIDENT: Admitted on the usual terms.

7 CLERK OF THE COURT: Prosecution's document  
8 No. 6255-F will receive exhibit No. 1261.

9 (Whereupon, the document above  
10 referred to was marked prosecution's exhibit  
11 No. 1261 and received in evidence.)

12 THE WITNESS (Reading continued): "The  
13 Lanikai Beach House and Kalama House mentioned in  
14 the message were houses occupied by Kuehn, according  
15 to his confession. This message (IPS Document No.  
16 6255-F, Prosecution Exhibit No. 1261, Japanese  
17 Message #245) reads as follows:

18 "'From: Honolulu (KITA)

19 "'To: Tokyo

20 "'3 December 1941'

21 Explanatory note: "'(Translated by Navy

22 11 December 1941) (PA-K2)

23 "'#245 (in 2 parts, complete)

24 "'(Military secret).

25 "'From Ichiro FUJII to the Chief of #3 Section

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of Military Staff Headquarters.

"1 I wish to change my method of communicating by signals to the following:

"1. Arrange the eight signals in three columns as follows:

One is headed "Meaning" and explanation of the signal:

	<u>Meaning</u>		<u>Signal</u>
8	Battleship divisions including scouts and screen units	: Preparing to sortie	: 1
9		:	:
10	A number of carriers	: Preparing to sortie	: 2
11	Battleship divisions	: All departed between 1st and 3rd	: 3
12	Carriers	: Several departed between 1st and 3rd	: 4
13	Carriers	: All departed between 1st and 3rd	: 5
14	Battleship divisions	: All departed between 4th and 6th	: 6
15	Carriers	: Several departed between 4th and 6th	: 7
16	Carriers	: All departed between 4th and 6th	: 8

"2. Signals.

"1 1. Lanikai Beach House will show lights during the night as follows:

		<u>Signal</u>
21	"One light between 8 and 9 p.m.	1
22	" " " " 9 and 10 p.m.	2
23	" " " " 10 and 11 p.m.	3
24	" " " " 11 and 12 p.m.	4

"II

25	"Two lights between 12 and 1 a.m.	5
	" " " " 1 and 2 a.m.	6
	" " " " 2 and 3 a.m.	7

"13. If the above listed signals and wireless messages cannot be made from Oahu, then on Maui Island, 6 miles to the northward of Kula Sanatorium at a point halfway between Lower Kula Road and Haleakala Road



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1 (latitude 20°40' N., longitude 156°19' W., visible  
2 from seaward to the southeast and southwest of Maui  
3 Island) the following signal bonfire will be made daily  
4 until your EXEX signal is received:

Time	Signal
from 7-12	3 or 6
from 8-9	4 or 7
from 9-10	5 or 8."

8 That is the end of the message.



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CROSS

1 CAPTAIN ROBINSON: We now offer in evidence,  
2 if the Court please, IPS document No. 6255-G, which  
3 is another message from Honolulu to Tokyo.

4 THE PRESIDENT: Admitted on the usual terms.

5 CLERK OF THE COURT: Prosecution document No.  
6 6255-G will receive exhibit No. 1262.

7 (Whereupon, the document above re-  
8 ferred to was marked prosecution's exhibit  
9 No. 1262 and received in evidence.)

10 THE WITNESS: The message dated 5 December  
11 1941 (IPS document No. 6255-G, prosecution exhibit No.  
12 1262, Japanese message #252) reads as follows:

13 "'From: Honolulu. To: Tokyo. 5 December 1941  
14 (translated by Navy 10 December 1941). PA-K2). 252.

15 "'(1) During Friday morning, the 5th,  
16 the three battleships mentioned in my message #239  
17 arrived here. They had been at sea for eight days.

18 "'(2) The Lexington and five heavy cruisers  
19 left port on the same day.

20 "'(3) The following ships were in port on the  
21 afternoon of the 5th:

22 "'8 battleships, 3 light cruisers, 16 de-  
23 stroyers.

24 "'Four ships of the Honolulu class and . . . .  
25 were in dock.'"

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CROSS

End of message.

1           A message of 6 December from Honolulu to  
2 Tokyo provides direct information for the 'surprise  
3 attack' which the passage mentions, dealing with the  
4 important subjects of barrage balloons and torpedo  
5 nets.

6           CAPTAIN ROBINSON: We now offer in evidence  
7 IPS document No. 6255-H, another Japanese message.

8           THE PRESIDENT: Admitted on the usual terms.

9           CLERK OF THE COURT: Prosecution document  
10 No. 6255-H will receive exhibit No. 1263.

11                   (Whereupon, the document above re-  
12 ferred to was marked prosecution exhibit  
13 No. 1263 and received in evidence.)

14           THE WITNESS: This message (IPS document No.  
15 4255-H, prosecution's exhibit No. 1263, Japanese message  
16 #253) reads as follows:  
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1 "From: Honolulu

2 "To: Tokyo

3 "December 6, 1941 (translated by Army 8  
December, 1941)

4 "'PA-K2

5 "'#253 Re the last part of your #123.

6 "'1. On the American Continent in October  
7 the Army began training barrage balloon troops at Camp  
8 Davis, North Carolina. Not only have they ordered  
9 four or five hundred balloons, but it is understood  
10 that they are considering the use of these balloons in  
11 the defense of Hawaii and Panama. In so far as Hawaii  
12 is concerned, though investigations have been made in  
13 the neighborhood of Pearl Harbor, they have not set up  
14 mooring equipment, nor have they selected the troops to  
15 man them. Furthermore, there is no indication that any  
16 training for the maintenance of balloons is being under-  
17 taken. At the present time there are no signs of barr-  
18 age balloon equipment. In addition, it is difficult  
19 to imagine that they have actually any. However, even  
20 though they have actually made preparations, because  
21 they must control the air over the water and land run-  
22 ways of the airports in the vicinity of Pearl Harbor,  
23 Hickam, Ford and Ewa, there are limits to the balloon  
24 defense of Pearl Harbor. I imagine that in all prob-  
25

1 ability there is considerable opportunity left to take  
2 advantage for a surprise attack against these places.

3 "12. In my opinion the battleships do not  
4 have torpedo nets. The details are not known. I will  
5 report the results of my investigation."

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RICHARDSON

DIRECT

1           " 'On the eve of the attack, the Japanese  
2 Consul-General sent to Tokyo the following message  
3 regarding the ships at anchor and lying at docks in  
4 Pearl Harbor."

5           CAPTAIN ROBINSON: We now offer in evidence  
6 IPS document No. 6255-I, another message.

7           THE PRESIDENT: Admitted on the usual terms.

8           CLERK OF THE COURT: Prosecution's document  
9 No. 6255-I will receive exhibit No. 1264.

10           (Whereupon, the document above re-  
11 ferred to was marked prosecution's exhibit  
12 No. 1264 and received in evidence.)

13           THE WITNESS (Reading continued): The  
14 message reads as follows:

15           " 'From:     Honolulu

16           " 'To:       Tokyo

17           " 'December 6, 1941 (translated by Army 8  
18 December 1941)

19           " 'PA-K2

20           " '#254

21           " '1. On the evening of the 5th, among the  
22 battleships which entered port were (blank) and  
23 one submarine tender. The following ships were observed  
24 at anchor on the 6th:

25           " '9 battleships, 3 light cruisers, 3 submarine



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1 tenders, 17 destroyers, and in addition there were  
2 4 light cruisers, 2 destroyers lying at docks ( the  
3 heavy cruisers and airplane carriers have all left.)

4 "12. It appears that no air reconnaissance  
5 is being conducted by the fleet air arm."

6 End of message.

7 "The documents on Japanese espionage and  
8 reconnaissance which have been presented have been  
9 limited to a few of those dealing with consular  
10 espionage in Honolulu, because they show that the  
11 activities of the Japanese Navy and Foreign Office  
12 in planning and conducting this consular espionage  
13 as an aid to the Pearl Harbor attack may be classed  
14 with their other activities in preparation for aggressive  
15 warfare.

16 "IV

17 "The plans and preparations for secret  
18 attack by Japanese carrier task force upon the  
19 United States naval personnel and ships at Pearl Harbor,  
20 Hawaii, on 7 December 1941, without notification having  
21 been given by Japan to the United States that there would  
22 be a commencement of hostilities in a war by Japan  
23 against the United States."  
24

25 In my oral presentation I have deleted the  
following words which appear in my prepared statement:

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1 "by a previous, explicit and reasoned warning".

2 "The plans and preparations made by the  
3 Japanese Navy with respect to construction of aircraft  
4 carriers and of naval bases and fortifications in the  
5 Mandated Islands has been presented. Consideration  
6 has also been given to Japanese naval plans and  
7 preparations concerned with consular espionage as a  
8 preparation for surprise naval attack. The consummation  
9 of the foregoing plans in delivering the attack on  
10 Pearl Harbor by the use of the aircraft carriers, of  
11 the fortified Island bases and of the espionage re-  
12 ports will now be presented.

13 "The attack will be considered with respect  
14 to (1) its objectives, (2) its plan and (3) its  
15 execution.

16 "The documents used in this analysis of the  
17 attack will be principally (1) the Japanese Combined  
18 Fleet Top Secret Operation Order No. 1 (IPS Document  
19 No. 17)," now Court Exhibit No. 1252, "(2) Allied  
20 Translator and Interpreter Section, Supreme Commander  
21 for the Allied Powers Research Report No. 131, Date  
22 1 December 1945, entitled Japan's Decision to Fight  
23 (IPS Document No. 1628)," now Court Exhibit No. 809;  
24 "and (3) Research Report No. 132, from the same source,  
25 hereinafter referred to as ATIS, entitled The Pearl

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1 Harbor Operation (IPS Document No. 1627)."

2 CAPTAIN ROBINSON: Which we now offer in  
3 evidence, if the Court please. It is entitled Allied  
4 Translator and Interpreter Section, Supreme Commander  
5 for the Allied Powers, Research Report No. 132, dated  
6 1 December 1945, the Pearl Harbor Operation. This  
7 document is published by command of the Supreme  
8 Commander for the Allied Powers. It is duly authenti-  
9 cated by the Chief of Staff and by the Assistant Chief  
10 of Staff G-2 General Headquarters, Supreme Commander  
11 for the Allied Powers.

12 MR. LOGAN: If the Tribunal please, we  
13 have previously objected to a similar document to  
14 this one on the ground that it has been issued from the  
15 headquarters of the Supreme Commander who is the  
16 reviewing authority in this case, and we make the  
17 same objection to this document.

18 THE PRESIDENT: We give the same decision as  
19 on exhibit No. 809. The objection is overruled. The  
20 document is admitted on the usual terms.

21 CLERK OF THE COURT: Prosecution's document  
22 No. 1627 will receive exhibit No. 1265.

23 (Whereupon, the document above re-  
24 ferred to was marked prosecution's exhibit  
25 No. 1265 and received in evidence.)



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1 THE WITNESS: (Reading continued) "The  
2 objectives of the Pearl Harbor attack have been  
3 stated by Admiral NAGANO to be:

4 "(1) rendering impotent the United States  
5 Pacific Fleet in order to gain time and maintain  
6 freedom of action in the South Seas operation (including  
7 the Philippine Islands), and (2) the defense of our man-  
8 dated islands.' (IPS Document No. 1628, p. 66)" now  
9 Court Exhibit No. 809.

10 "The Chief of Staff Combined Fleet, Admiral  
11 ITO said:

12 "This Fleet (at Pearl Harbor) will be  
13 utterly crushed with one blow at the very beginning  
14 of hostilities... If we insure our strategic supremacy  
15 at the very outset of the conflict by attacking and  
16 seizing all key points at one blow while America is  
17 still unprepared, we can swing the scales of later  
18 operations in our favor.'

19 That is IPS Document No. 1627, which has just  
20 been introduced as Court Exhibit No. 1265, pages 7 and  
21 8.

22 "In Combined Fleet Top Secret Operation Order  
23 No. 1, pages 2/7,8 (IPS Document No. 17)" now Court  
24 Exhibit No. 1252, the general objectives of the entire  
25 Japanese operations are stated as follows:

1 who knew of the entire plan in advance included  
2 NAGANO and YAMAMOTO, and those who knew part of  
3 the plan included Admiral SHIMADA, Navy Minister,  
4 and Admiral OKA, Chief of the Bureau of Naval  
5 Affairs. (Same citation, P. 67) Preparatory  
6 to a final formulation of the plan, war games  
7 were held at Tokyo on September 2 to 13, 1941, with  
8 approximately forty key Japanese Naval officers  
9 participating and with NAGANO as the ranking  
10 officer in charge acting as umpire. (Same  
11 document, pp. 4,5,6).

12 "56. According to Japanese naval officers  
13 who took part in the preparation of the plan, among  
14 the problems to be solved were how to attack most  
15 effectively the United States Pacific Fleet in the  
16 Hawaiian area. They stated:

17 "It was decided that a torpedo attack against  
18 anchored ships was the most effective method  
19 of putting the main strength of the United  
20 States Pacific Fleet in the Hawaii area out  
21 of action ... Hence, the following two ob-  
22 stacles were considered:

23 "(a) The fact that Pearl Harbor is  
24 narrow and shallow.

25 "(b) The Fact that Pearl Harbor was



probably equipped with torpedo nets.

"(c) In regard to point (a), it was planned to attach stabilizers to the torpedoes and launch them from an extremely low altitude.

"(d) In regard to point (b), since success could not be counted on, a bombing attack was also employed."

"57. Additional problems were refueling and effecting surprise in the attack. On these points the same officers stated (same citation, p. 68): 'The ability to refuel and a surprise attack were the keys to this operation. If either of them failed, the execution of the operation would have been impossible.' Refueling at sea was dealt with by making it a matter for special training. To insure surprise, the little travelled northern ocean route was to be used, screening destroyers were to be sent ahead, and complete radio silence was to be carried out at sea while deceptive radio activity was to be conducted in the Inland Sea and Kyushu areas. (Same document p. 68)."

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1 "The plan provided in detail for the organiza-  
2 tion of a select Task Force, under the command of  
3 Admiral NAGANO and made up of 6 aircraft carriers,  
4 supported by 2 battleships, 2 heavy cruisers, 1 light  
5 cruiser, 11 destroyers, 3 submarines and 8 tankers.  
6 (Same reference, page 83). Additional units included  
7 submarines, both regular size and midget submarines  
8 manned by specially trained officers. (Same reference,  
9 page 78; IPS document No. 1627, pages 17-23, prosecution's  
10 exhibit No. 1265). Carrier-borne attack airplanes  
11 numbered 360, namely, 135 dive bombing planes, 104  
12 horizontal bombing planes, 40 torpedo planes, and 81  
13 strafing planes. Targets assigned were principally  
14 aircraft carriers, airbases and grounded airplanes,  
15 but in execution battleships received special atten-  
16 tion because of the absence of carriers. (That is from  
17 IPS document No. 1628, prosecution's exhibit No. 809,  
18 page 84.)

19 "The plan provided, also, for lesser forces  
20 to operate in various areas. (That is IPS document No.  
21 17, pages 2/104-6, prosecution's exhibit No. 1252.)"

22 The next paragraph of my prepared statement  
23 I have deleted in my oral presentation.

24 "3. The execution of the plan. On 5 November  
25 1941, Admiral NAGANO issued an order to Admiral YAMAMOTO  
(IPS document No. 1628, page 75, prosecution's exhibit

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1 No. 809) under which YAMAMOTO on the same date (IPS  
2 document No. 17, page 2/1, prosecution's exhibit No.  
3 1252) issued Combined Fleet Top Secret Operation Order  
4 No. 1, putting the plan into effect. On 7 November,  
5 YAMAMOTO issued Order No. 2 (same citation, page 2/152)  
6 fixing Y-Day for 8 December, in accordance with the  
7 provision in the plan for fixing Y-Day, and, later,  
8 X-Day (same document, pages 2, 3).

9 "On the same date, 7 November 1941, YAMAMOTO  
10 issued from his flagship, the NAGATO, an order which  
11 directed the Task Force to assemble at Hitokappu Bay at  
12 Etorofu Island in the Kuriles, and to take on supplies  
13 until 22 November. (IPS document No. 1628, page 77,  
14 prosecution's exhibit No. 809).

15 "On 25 November, YAMAMOTO ordered the Task  
16 Force to move out on 26 November and to 'proceed without  
17 being detected' to the evening rendezvous point set for  
18 3 December. (IPS document No. 1628, page 78, prosecu-  
19 tion's exhibit No. 809.)

20 "On 26 November 1941 at 6600 hours the Task  
21 Force moved out on its trip of more than 3000 miles  
22 to Pearl Harbor. (Same document, page 78).  
23  
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1 "On 2 December the Task Force under way  
2 received a Combined Fleet order stating X-Day will  
3 be 8 December (7 December Pearl Harbor time).  
4 (same document, p. 78)

5 "On 2 December, Admiral YAMAMOTO from his  
6 flagship, the YAMATO, gave the order to proceed with  
7 the attack.

8 "On the night of 6-7 December (Pearl Harbor  
9 time) the Task Force made the run-in southward at  
10 top speed (26 knots).

11 "On the early morning of 7 December (Pearl  
12 Harbor time) the carriers, when 230 miles due north  
13 of Oahu, launched the planes of the First Attack  
14 Unit, at 0130 hours, and when 200 miles north of  
15 Oahu launched the planes of the Second Attack Unit  
16 at 0245 hours. (IPS Document No. 1628, p.71)  
17 The planes rendezvoused to the south of the carriers  
18 and then flew in to the attack. Torpedo planes and  
19 dive bombers attacked from 7:55 to 8:25 A.M.  
20 Horizontal bombers were the principal attackers in  
21 an attack lasting from 8:40 to 9:15 A.M. Dive  
22 bombers attacked from 9:15 to 9:45, when the raid  
23 ended.

24 "The Task Force, after launching its  
25 planes withdrew at high speed to the northwest, where  
the planes, except for approximately 28, returned to the

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1 carriers, between 10:30 A. M. and 1:30 P. M. The  
2 Task Force then proceeded to Kure. arriving on 23  
3 December.

4 "The attackers killed 1,999 officers and  
5 enlisted men of the U. S. Navy. Rear Admiral Isaac  
6 Campbell Kidd, U. S. N., commander of battleship  
7 division #1, was killed, presumably in the explosions.  
8 aboard his flagship, the USS ARIZONA, where he was  
9 last seen in action. All told, the ARIZONA lost 47  
10 officers and 1056 enlisted men. (That is from Navy  
11 Department, Chief Naval Personnel, Certificate dated  
12 15 July 1946). The U. S. Marine Corps suffered casual-  
13 ties of 109 killed. (That statement is from Marine  
14 Corps Director Personnel Certificate dated 7 May 1946).  
15 The U. S. Army lost 234 killed. (That is War Depart-  
16 ment Casualty Branch Certificate dated 8 July 1946).  
17 Civilians killed in the attack numbered 54. (War  
18 Records Bureau, University of Hawaii, Rept. Special  
19 Agt. CIC, AFLIDPAC, dated 7 June, 1946.)

20 "The United States lost outright 188 planes;  
21 Japan, 29. The United States suffered severe damage to, or  
22 loss of, 8 battleships, 3 light cruisers, 3 destroyers,  
23 and 4 miscellaneous vessels; Japan lost 5 midget sub-  
24 marines.

25 "The disproportionate extent of losses marks



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1 the extent to which NAGANO and YAMAMOTO and their  
2 associates in the Japanese Navy and Government had  
3 succeeded in maintaining secrecy and in attaining sur-  
4 prise in their naval plans and preparations between  
5 1931 and 1941, reaching on 7 December 1941 the climax  
6 of their successful planning and preparing.

7 "By their repeated emphatic warnings in orders  
8 and elsewhere that only by complete secrecy and complete  
9 surprise could the Pearl Harbor attack succeed, NAGANO  
10 and YAMAMOTO and their associates had succeeded in  
11 achieving complete secrecy and complete surprise in  
12 the Pearl Harbor attack.

13 "I have been unable to find in the records  
14 of the United States Government any information regard-  
15 ing any Japanese document or communication by which the  
16 Japanese Government gave to the United States warning  
17 that Japan was about to commence hostilities against  
18 the United States" I have deleted from my written  
19 prepared statement "previous, explicit and reasoned."  
20 "A notice from the Japanese Foreign Office announcing  
21 that 'there has arisen a state of war' between Japan and  
22 the United States was received in the Office of the  
23 Secretary of State at 2:35 A. M. on 10 December 1941,  
24 sixty-six hours and forty minutes after the first  
25 torpedoes and bombs from the Japanese carrier planes

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1 struck Pearl Harbor."

2 THE PRESIDENT: If the Admiral forgot to  
3 mention the exhibit number as well as the prosecution  
4 document number in any case, the shorthand reporters  
5 are authorized to insert the exhibit number. I think  
6 he gave the exhibit number in most, if not all, cases.

7 CAPTAIN ROBINSON: Yes, sir.

8 THE PRESIDENT: We will recess now for fifteen  
9 minutes.

10 (Whereupon, at 1445, a recess was  
11 taken until 1500, after which the proceedings  
12 were resumed as follows:)

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1 MARSHAL OF THE COURT: The International  
2 Military Tribunal for the Far East is now resumed.

3 THE PRESIDENT: Captain Robinson.

4 CAPTAIN ROBINSON: If it please the Tribunal,  
5 Admiral Richardson's statement was tendered for identi-  
6 fication and given exhibit No. 1249 for identification.  
7 I now formally tender the statement in evidence,  
8 modified to agree with the oral presentation by the  
9 witness.

10 THE PRESIDENT: Admitted on the usual terms.

11 CLERK OF THE COURT: Prosecution's document  
12 No. 6257 has been marked exhibit No. 1249 and will  
13 retain that number.

14 (Whereupon, prosecution's exhibit  
15 No. 1249 was received in evidence.)

16 CAPTAIN ROBINSON: That concludes the direct  
17 testimony.

18 THE PRESIDENT: Mr. Brannon.

19  
20 CROSS-EXAMINATION

21 BY MR. BRANNON:

22 Q Did I understand correctly that the Supreme  
23 Commander requested the Secretary of the Navy to pro-  
24 duce a witness to testify as to certain documents in  
25 custody of the United States Naval Department?

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1           A    That is correct.

2           Q    Were you named in that request personally.

3           A    The request of the Supreme Commander for the  
4 Allied Powers was forwarded through the War Department  
5 and he requested the War Department to request the  
6 Navy Department to designate a senior officer. My  
7 name was not mentioned.

8           Q    Then, being a senior officer, you were selected  
9 by the Secretary of the Navy, Mr. Forrestal, is that  
10 correct?

11          A    I was designated for the duty by the Secretary  
12 of the Navy, Mr. James Forrestal.

13          Q    What were his instructions to you at that time?

14          A    I did not see the Secretary of the Navy within  
15 two months preceding my first appearance here. I did  
16 not see him until a few days before I came for my second  
17 visit, and at that time all I told him was that I was  
18 returning and he gave me no instructions.

19          Q    How did you receive the appointment from the  
20 Secretary of the Navy, Admiral?

21               THE PRESIDENT: What is the point of this,  
22 Mr. Brannon? I would like to be enlightened.

23               MR. BRANNON: The defense would like to know  
24 exactly what the circumstances were that led to the  
25 appointment of this particular witness.



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1 THE PRESIDENT: There could be many reasons,  
2 none of which would concern us unless they bore on his  
3 competency. If you suggest that he is incompetent,  
4 well, we will have to determine it. You had better  
5 make your grounds clear straightaway.

6 MR. BRANNON: I don't think any American  
7 questions the competency of Admiral Richardson. My  
8 point is that this is apparently the first affidavit  
9 which contains a statement that the Supreme Commander  
10 requested a witness to appear.

11 THE PRESIDENT: The request comes from a neutral  
12 authority. The Supreme Commander has not indicted  
13 these people. He created the Court and gave it its  
14 authority but he did not indict any of the accused.  
15 He is perfectly neutral. I don't know why you bring  
16 his name into it.

17 MR. BRANNON: It is in the first paragraph  
18 of the affidavit, Mr. President. We only want to  
19 rest assured that the Court is not attaching any  
20 special significance to the fact that the request  
21 emanated from any such high source.

22 CAPTAIN ROBINSON: If the Court please, the  
23 request --

24 THE PRESIDENT: It isn't worthwhile wasting  
25 any more time on it.

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1           CAPTAIN ROBINSON: In order that the record  
2 may show clearly what the situation is, if the Court  
3 please, we would like to say that the request came  
4 from International Prosecution Section to the Supreme  
5 Commander as the appropriate channels for such request  
6 to be transmitted by.

7           THE PRESIDENT: From the defense and through  
8 the Supreme Commander, I anticipate that other  
9 requests will be made for defense witnesses. I have  
10 already indicated that the Supreme Commander's influence  
11 or authority may have to be sought for defense witnesses.

12 BY MR. BRANNON (Continued):

13           Q Did you draft this report personally?

14           A A man of my years and experience seldom does  
15 the initial spade work. The project is mine; I super-  
16 vised its preparation and its final re-write is my own  
17 work.

18           Q Did you bring the records to Japan with you  
19 which you have mentioned in your report?

20           A I did not personally bring the documents with  
21 me. They were in the custody of subordinates of mine  
22 who accompanied me in the same plane in which I came  
23 to Japan.

24           Q But all of the evidence which you have used  
25 here did come from the official naval files, is that so?

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1 A It did. I repeat, it did.

2 Q Earlier today you stated that, and I quote,  
3 "I wish to stress the fact that I am testifying neither  
4 as an expert witness stating opinions nor as a witness  
5 stating facts within his own knowledge."

6 A I did.

7 Q Then am I to understand that any opinion  
8 which you have expressed here is not given with the  
9 idea that you are an expert on the subject but it is  
10 merely a statement of facts as you have found them in  
11 naval records?

12 A I made an earnest effort to state facts only  
13 and avoid stating opinions. In so far as I know, I  
14 succeeded and the facts stated are supported by official  
15 documents.

16 Q Page 3, paragraph 3 of your affidavit or  
17 report, you make the statement that YAMAMOTO and  
18 NAGANO recognized as early as 1934 that the aircraft  
19 carrier was the best type of naval arm for expansion  
20 and aggression. I do not quote you. Why do you in-  
21 clude NAGANO in that remark?

22 A Because of the statements made in one of the  
23 documents presented.

24 Q I presume you have reference to 6251 --

25 THE PRESIDENT: Exhibit number please,



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1 Mr. Brannon. 1251 is the exhibit number.

2 Q (Continuing) Exhibit 1251A. As I read that  
3 it appears that you have quoted NAGANO as of January 15,  
4 1936, not 1934. Am I correct?

5 THE PRESIDENT: Is the date a material consider-  
6 ation? So far back?

7 MR. BRANNON: I think every error or misstate-  
8 ment in a report as technical as this is important.

9 THE PRESIDENT: You still have to consider  
10 the substance only.

11 Q You have used the words "expansion and  
12 aggression" on page 3, same paragraph. I will ask you  
13 if in any document that you have presented referring  
14 to any statement by NAGANO there was any statement made  
15 concerning the word "expansion" or that interpretation  
16 placed thereon.

17 A In this document the words "non-aggression,"  
18 "non-menace" and "offensive armament," "offensive  
19 character" are used. I see no use of the word "expan-  
20 sion."

21 Q Admiral YAMAMOTO is dead, is he not?

22 A I didn't get that.

23 (Whereupon, the last question was read  
24 by the official court reporter as above recorded)

25 A I believe so.



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1 Q I will ask you if the quotation, which you have  
2 attributed to Admiral YAMAMOTO on page 4 of your docu-  
3 ment, is actually a quotation from the evidence that  
4 you have presented. I refer you to page 3 of exhibit  
5 1250A.

6 A That is quoted from an official document of  
7 the State Department. In the beginning of his state-  
8 ment is: "Admiral NAGANO (translation)." In so far  
9 as I know it is an exact quotation of what he said.

10 THE PRESIDENT: It isn't all that he said  
11 but it is accurate as far as it goes. It appears on  
12 page 3 of exhibit 1251 and it does not seem to me to  
13 be inconsistent with anything omitted.

14 MR. BRANNON: It is a quotation, Mr. President,  
15 of a man now dead, and it isn't a quotation. That is,  
16 it is a reporters resume. I believe the witness has  
17 not followed me on that.

18 THE WITNESS: You are referring to the state-  
19 ment in which it appears presenting the views of  
20 Admiral YAMAMOTO. That is correct. That is not and  
21 should not appear to be an exact quotation of Admiral  
22 YAMAMOTO because it is a copy of the record of the  
23 conversations which took place and does not presume  
24 to be a direct quotation.  
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1 THE PRESIDENT: I understood he was re-  
2 ferring to NAGANO.

3 MR. BRANNON: To NAGANO, did you say, Mr.  
4 President?

5 THE PRESIDENT: YAMAMOTO is referred to also.  
6 Do you want YAMAMOTO's exact words? It may be pain-  
7 fully slow to get them from this witness. There  
8 may be an exhibit, or you may be able to refer to  
9 the exact words.

10 MR. BRANNON: Mr. President, I am referring  
11 to more than just words. It appears that this wit-  
12 ness has attempted to relate a sequence of events  
13 starting with the Japanese attitude at the 1940  
14 Sub-London Conference.

15 THE PRESIDENT: Are you suggesting he has  
16 wrongfully attributed sentiments to YAMAMOTO and  
17 NAGANO? If so, you may question about that from in-  
18 formation you possess. I am putting no limit on you  
19 in getting the exact words used by YAMAMOTO and  
20 NAGANO, Mr. Brannon. I am sure the witness will  
21 admit them if he recognizes them, but you haven't  
22 put them before him.

23 MR. BRANNON: I am referring to exhibit  
24 1250-A.

25 Q I am asking you to compare that with your

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1 statement attributed to YAMAMOTO and to tell me if  
2 the only real quotation of YAMAMOTO set out in that  
3 exhibit is as follows: (Page 3 of that exhibit, and  
4 I quote:) "I consider that the real aim of our  
5 proposal goes beyond the setting of a common upper  
6 limit. I look upon the spirit of our proposal as  
7 being to reduce the menace of war and to make it  
8 more difficult to wage war. In technical discussions  
9 on the other hand we consider the problem of how to  
10 carry on war most advantageously, which is the op-  
11 posite of the purpose of our discussions."

12 Is that not the actual quotation appearing  
13 in your document, of YAMAMOTO?

14 A The part just read by you was not presented  
15 by me. It does appear in the document which was in-  
16 troduced and appears in quotation marks.

17 Q Do you recognize that the part of YAMAMOTO's  
18 statement that you put in quotes is not actually his  
19 quoted statement?

20 THE PRESIDENT: To set your mind at rest,  
21 I think I can tell you the Tribunal will disregard  
22 quotation marks, but according to exhibit 1250-A,  
23 page 4, it is still what YAMAMOTO said, Mr. Brannon.

24 MR. BRANNON: It is a statement of the  
25 reporter's resume of what he said, Mr. President,



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1 and since it was not complete, we thought that it  
2 did not convey the full meaning of the speaker.

3 THE PRESIDENT: It is that part enclosed  
4 on page 3 of 1250-A. We appreciate your point. You  
5 need not deal with it further.

6 Q I refer you to page 4 of your report and ask  
7 you if NAGANO stated that the aircraft carrier was  
8 the principal type of aggressive naval arm exclusively?

9 A He stated, as I stated, they advocated the  
10 abolition of aircraft carriers and a drastic reduc-  
11 tion in capital ships and "A" Class cruisers, and  
12 in a memorandum that was the official opinion of the  
13 Japanese Delegation they were classified in order of  
14 offensive types, one, aircraft carrier; two, capital  
15 ships; three, "A" Class cruisers.

16 Q Then I will ask you if NAGANO did not also  
17 advocate abolition of the capital ships other than  
18 the aircraft carriers?

19 A I cannot state it in clearer terms than he  
20 stated it himself in the part I quoted.

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1 Q Admiral, I only want to ascertain that you  
2 realize that the Navy at that time thought that the  
3 battleships and other capital ships were offensive  
4 naval arms as well as the aircraft carriers.

5 On page 4 of your affidavit you refer to the  
6 official naval leadership and personal cooperation  
7 of NAGANO and YAMAMOTO.

8 A That is correct.

9 Q I will ask you if you attribute any special  
10 significance to the fact that NAGANO and YAMAMOTO  
11 at two different periods represented their country  
12 as delegates to the naval conferences?

13 A None except that they were probably con-  
14 sidered the best able to present the views of those  
15 who selected them.

16 Q You go on to state that NAGANO and  
17 YAMAMOTO served together for a considerable period  
18 of time as Minister and Vice Minister of Navy,  
19 1936 and '37. May I ask you what you mean by the  
20 words "considerable period?"

21 A If it will better serve the purpose of the  
22 Tribunal I can quote from a Japanese report the  
23 exact years in which they served together.

24 Q Will you please do that?

25 A Admiral NAGANO, according to this report,

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1 was Minister of the Navy from March 9, 1936 to  
2 February 2, 1937, and Vice Admiral YAMAMOTO was  
3 Vice Minister of the Navy from 1 December '36 to  
4 30 August '39.

5 Q Is that a considerable period of time, in  
6 your estimation?

7 A It is that.

8 THE PRESIDENT: Perhaps he intends to  
9 cover 1941 and 1943. I don't know. It does not  
10 read that way.

11 MR. BRANNON: It appears from the figures  
12 that he gave that is about a period of sixty days.

13 THE PRESIDENT: That is all.

14 MR. BRANNON: Am I correct in that?

15 THE PRESIDENT: You can pass over that.

16 THE WITNESS: That is true.

17 THE PRESIDENT: It is a very short period,  
18 in fact.

19 Q Then you do not attach any special sig-  
20 nificance to the fact that they served sixty days  
21 together, as Minister and Vice Minister of the Navy,  
22 do you, sir?

23 A No, but I -- I attach no importance to  
24 it whatever, but no officer can rise to be a  
25 Minister of the Navy and another at the same time



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1 be Vice Minister, without them having been associ-  
2 ated together for a long time.

3 Q Do you not consider that statement slightly  
4 misleading, Admiral?

5 A It possibly is to those that are uninformed,  
6 but not to anyone who knows the Navy.

7 Q I believe you misunderstand me. I speak of  
8 your reference to the phrase "considerable period."

9 Is it, in naval parlance or circles, unusual  
10 that two senior officers, such as NAGANO and  
11 YAMAMOTO, might end up as Chief of Naval General  
12 Staff and Commander in Chief of the combined fleets?

13 THE PRESIDENT: It could happen anywhere,  
14 but it did happen in Japan. I don't think there is  
15 much in the point, Mr. Brannon.

16 MR. BRANNON: I seek to show that the  
17 paragraph here inserted by the witness is of no  
18 consequence or meaning when boiled down to the  
19 actual factual circumstances.

20 Q On page 6 of your report you use the words  
21 "abolition of existing treaty limitations." Is it  
22 not a fact that Japan did not abolish the treaty  
23 limitations of 1930, but that they expired?

24 A In so far as they were binding on Japan  
25 they ceased to have any meaning in accordance with

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1 the terms of the treaty, because of Japan's  
2 denunciation of the treaty. Their effectiveness  
3 was abolished.

4 Q Did Japan propose a different proposition  
5 in regard to naval limitation in 1934, rather than  
6 abolish the existing treaty limitations?

7 A As stated by me, she proposed a treaty  
8 limitation based on what she called a common upper  
9 limit.

10 Q Then there was nothing illegal about the  
11 action of Japan in proposing a new treaty limita-  
12 tion in place of the old?

13 THE PRESIDENT: We decide questions of law.  
14 There wasn't, Mr. Brannon.

15 We will adjourn until half past nine to-  
16 morrow morning.

17 (Whereupon, at 1600, an adjourn-  
18 ment was taken until Tuesday, 26 November  
19 1946, at 0930.)  
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